

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. _____

To amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2024 through 2028, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. CANTWELL (for herself, Mr. CRUZ, Ms. DUCKWORTH, and Mr. MORAN)

Viz:

1 Strike all after the enacting clause and insert the following:
2

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “FAA Reauthorization Act of 2023”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—AUTHORIZATIONS

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

Sec. 102. Facilities and equipment.

Sec. 103. FAA operations.

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- Sec. 104. Extension of expiring authorities.
- Sec. 105. Authority to subpoena physical evidence.
- Sec. 106. Research, engineering, and development.
- Sec. 107. Effective date.

TITLE II—FAA OVERSIGHT AND ORGANIZATION

Subtitle A—Organization

- Sec. 201. Future of NextGen.
- Sec. 202. Airspace Innovation Office.
- Sec. 203. Commercial Software Options for Improving ASIAs Analytics.
- Sec. 204. Authority to use electronic service.

Subtitle B—Regulatory Reform

- Sec. 211. Safety and efficiency through digitization of FAA systems.
- Sec. 212. Report elimination or modification.
- Sec. 213. Internal regulatory process review.
- Sec. 214. Review and Updates of Categorical Exclusions.

TITLE III—SAFETY IMPROVEMENTS

- Sec. 301. Independent Study on future state of type certification processes.
- Sec. 302. Report on international validation program performance.
- Sec. 303. High risk flight testing.
- Sec. 304. Recording devices.
- Sec. 305. Helicopter safety.
- Sec. 306. Review and incorporation of human readiness levels into agency guidance material.
- Sec. 307. Service difficulty reports.
- Sec. 308. Accountability and compliance.
- Sec. 309. Accountability for aircraft registration numbers.
- Sec. 310. Aircraft registration.
- Sec. 311. FAA oversight of repair stations located outside the United States.
- Sec. 312. Alcohol and drug testing and background checks.
- Sec. 313. Continuous aircraft tracking and transmission for high altitude balloons.
- Sec. 314. International engagement.
- Sec. 315. Air tour and sport parachuting safety.
- Sec. 316. International aviation safety assessment program.
- Sec. 317. Changed product rule reform.
- Sec. 318. Development of low-cost voluntary ADS-B.
- Sec. 319. Public aircraft flight time logging eligibility.
- Sec. 320. Safety management systems.
- Sec. 321. Aviation safety information analysis and sharing program.
- Sec. 322. Consistent and timely pilot checks for air carriers.
- Sec. 323. Enhancing processes for authorizing aircraft for service in commuter and on demand operations.
- Sec. 324. Tower marking compliance.
- Sec. 325. Administrative authority for civil penalties.
- Sec. 326. Civil penalties for whistleblower protection program violations.
- Sec. 327. Flight service stations.
- Sec. 328. Technical assistance agreements.
- Sec. 329. Restoration of authority.
- Sec. 330. Tarmac operations monitoring study.
- Sec. 331. GAO report on cybersecurity of commercial aviation avionics.

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- Sec. 332. Securing aircraft avionics systems.
- Sec. 333. Maintenance data availability.
- Sec. 334. Study on airworthiness standards compliance.
- Sec. 335. Fire protection standards.
- Sec. 336. Cabin air safety.
- Sec. 337. Airport air safety.
- Sec. 338. Aircraft interchange agreement limitations.
- Sec. 339. Wildfire suppression.
- Sec. 340. Study on impacts of temperature in aircraft cabins.
- Sec. 341. Part 135 pilot supplemental oxygen requirement.
- Sec. 342. Crewmember pumping guidance.
- Sec. 343. Reauthorization of certain provisions of the Aircraft Certification, Safety, and Accountability Act.

TITLE IV—MODERNIZING THE NATIONAL AIRSPACE SYSTEM

- Sec. 401. NextGen accountability task force.
- Sec. 402. Use of advanced surveillance in oceanic airspace.
- Sec. 403. GPS monitoring pilot program.
- Sec. 404. Runway safety technologies.
- Sec. 405. Flight profile optimization.
- Sec. 406. Stars remote surveillance displays.
- Sec. 407. Audit of legacy systems.
- Sec. 408. Aeronautical mobile communications services.
- Sec. 409. Low altitude routes for vertical flight.
- Sec. 410. ADS-B out equipage study; Vehicle-to-Vehicle link program.
- Sec. 411. Extension of enhanced air traffic services pilot program.
- Sec. 412. NextGen equipage plan.
- Sec. 413. Performance based navigation report and utilization plan.
- Sec. 414. Air traffic control facility realignment study.

TITLE V—AVIATION WORKFORCE

Subtitle A—Civil Aviation Workforce

- Sec. 501. Aviation workforce development grants.
- Sec. 502. Women in Aviation Advisory Committee.
- Sec. 503. Study of high school aviation maintenance training programs.
- Sec. 504. Military aviation maintenance technicians rule.
- Sec. 505. Prohibition of remote dispatching.
- Sec. 506. Employee assault prevention and response plan standards and best practices.
- Sec. 507. Crewmember self-defense training.
- Sec. 508. Improving apron safety.
- Sec. 509. Aviation Medical Innovation and Modernization Working Group.
- Sec. 510. Airman Certification Standards.

Subtitle B—FAA Workforce

- Sec. 521. Air traffic control staffing standards.
- Sec. 522. FAA Workforce review audit.
- Sec. 523. Direct hire authority utilization.
- Sec. 524. Staffing model for aviation safety inspectors.
- Sec. 525. Safety critical staffing.
- Sec. 526. Instrument landing system installation.
- Sec. 527. Aviation Certification Fellowship Program.
- Sec. 528. Contract Tower Program air traffic controller training programs.

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- Sec. 529. Review of FAA and industry cooperative familiarization programs.
- Sec. 530. Improved access to air traffic control simulation training.
- Sec. 531. Air Traffic Controller Instructor Pipeline.
- Sec. 532. Ensuring hiring of air traffic control specialists is based on assessment of job-relevant aptitudes.
- Sec. 533. Federal aviation administration academy and facility expansion plan.

TITLE VI—MODERNIZING AIRPORT SYSTEMS

- Sec. 601. AIP eligibility amendments.
- Sec. 602. Revised minimum apportionments.
- Sec. 603. Apportionments for transitioning airports.
- Sec. 604. Updating United States Government's share of project costs.
- Sec. 605. Primary airport designation.
- Sec. 606. Discretionary fund for terminal development costs.
- Sec. 607. Alternative-delivery and advance-construction methods pilot program.
- Sec. 608. Integrated project delivery.
- Sec. 609. Airport investment partnership program.
- Sec. 610. Airport accessibility.
- Sec. 611. General aviation public-private partnership program.
- Sec. 612. Runway rehabilitation.
- Sec. 613. Extension of provision relating to airport access roads in remote locations.
- Sec. 614. Procurement regulations applicable to FAA multimodal projects.
- Sec. 615. Solar powered taxiway edge lighting systems.
- Sec. 616. Additional ground based transmitters.
- Sec. 617. Automated weather observing systems maintenance improvements.
- Sec. 618. Contract Tower Program.
- Sec. 619. Remote towers.
- Sec. 620. Grant assurances.
- Sec. 621. Civil penalties for grant assurances violations.
- Sec. 622. Community use of airport land.
- Sec. 623. Buckeye 940 release of deed restrictions.
- Sec. 624. Clarifying airport revenue use of local general sales taxes.
- Sec. 625. AIP handbook review.
- Sec. 626. PFAS-related resources for airports.
- Sec. 627. Progress reports on the national transition plan related to a fluorine-free firefighting foam.
- Sec. 628. Review of airport layout plans.
- Sec. 629. NEPA purpose and need statements.
- Sec. 630. Passenger facility charge streamlining.
- Sec. 631. Use of passenger facility charges for noise barriers.
- Sec. 632. Automated weather observing systems policy.
- Sec. 633. Infrastructure Investment and Jobs Act implementation.
- Sec. 634. Report on airport notifications.
- Sec. 635. Coastal airports resiliency study.
- Sec. 636. Survey of power distribution capacity.
- Sec. 637. Study on competition and airport access.
- Sec. 638. Regional airport capacity study.
- Sec. 639. Study on autonomous and electric-powered track systems.
- Sec. 640. Special rule for reclassification of certain unclassified airports.
- Sec. 641. General aviation airport runway extension pilot program.

TITLE VII—AIR SERVICE IMPROVEMENTS

Subtitle A—Consumer Enhancements

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- Sec. 701. Advisory committee for aviation consumer protection.
- Sec. 702. Unrealistic or deceptive scheduling.
- Sec. 703. Refunds.
- Sec. 704. Airline passenger rights transparency act.
- Sec. 705. Disclosure of ancillary fees.
- Sec. 706. Access to customer service assistance for all travelers.
- Sec. 707. Frequent flyer programs and vouchers.
- Sec. 708. Airline customer service dashboards.
- Sec. 709. Annual briefings on disruptions of passenger air transportation and periods of mass cancellations of scheduled flights.
- Sec. 710. Enhancing child safety.
- Sec. 711. Codification of consumer protection provisions.
- Sec. 712. GAO study on competition and consolidation in the air carrier industry.
- Sec. 713. GAO study and report on the operational preparedness of air carriers for preparing for changing weather and other events related to changing conditions and natural hazards.
- Sec. 714. Increase in civil penalties.
- Sec. 715. Family seating.
- Sec. 716. Establishment of Office of Aviation Consumer Protection.

Subtitle B—Accessibility

- Sec. 731. Extension of the advisory committee on the air travel needs of passengers with disabilities.
- Sec. 732. Modernization and improvements to aircraft evacuation.
- Sec. 733. Improved training standards for assisting passengers who use wheelchairs.
- Sec. 734. Training standards for stowage of wheelchairs and scooters.
- Sec. 735. Mobility Aids On Board Improve Lives and Empower All Act.
- Sec. 736. Prioritizing Accountability and Accessibility for Aviation Consumers Act of 2023.
- Sec. 737. Transportation of organs.
- Sec. 738. Access and Dignity for All People who Travel Act.
- Sec. 739. Equal Accessibility to Passenger Portals Act.
- Sec. 740. Store On-board Wheelchairs in Cabin Act.

Subtitle C—Air Service Development

- Sec. 741. Essential air service.
- Sec. 742. Small community air service development grants.
- Sec. 743. GAO study and report on the alternate Essential Air Service program.

TITLE VIII—NEW ENTRANTS

Subtitle A—Unmanned Aircraft Systems

- Sec. 801. Office of Advanced Aviation Technology and Innovation.
- Sec. 802. Advanced Aviation Technology and Innovation Steering Committee.
- Sec. 803. Beyond visual line of sight operations for unmanned aircraft systems.
- Sec. 804. Extending special authority for certain unmanned aircraft systems.
- Sec. 805. Environmental Review and Noise Certification.
- Sec. 806. UTM implementation.
- Sec. 807. Operations over the high seas.
- Sec. 808. Extension of the BEYOND program.
- Sec. 809. Extension of the Know Before You Fly campaign.

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- Sec. 810. Unmanned aircraft system data exchange.
- Sec. 811. Unmanned aircraft system detection and mitigation enforcement authority.
- Sec. 812. Recreational operations of drone systems.
- Sec. 813. UAS test ranges.
- Sec. 814. Authority regarding protection of certain facilities and assets from unmanned aircraft.
- Sec. 815. Airport safety and airspace hazard mitigation and enforcement.
- Sec. 816. Special authority for transport of hazardous materials by commercial package delivery unmanned aircraft systems.

Subtitle B—Advanced Air Mobility

- Sec. 821. Sense of Congress on FAA leadership.
- Sec. 822. Aviation Rulemaking Committee on certification of powered-lift aircraft.
- Sec. 823. Application of National Environmental Policy Act (NEPA) categorical exclusions for vertiport projects.
- Sec. 824. Advanced Air Mobility Working Group amendments.
- Sec. 825. Rules for operation of powered-lift aircraft.
- Sec. 826. International coordination on powered-lift aircraft.
- Sec. 827. Advanced air mobility propulsion systems aviation rulemaking committee.

TITLE IX—RESEARCH AND DEVELOPMENT AND INNOVATIVE
AVIATION TECHNOLOGIES

- Sec. 901. Advanced materials center of excellence enhancements.
- Sec. 902. Center of excellence for unmanned aircraft systems.
- Sec. 903. ASSURED safe credentialing authority.
- Sec. 904. FAA and NASA advanced aviation technologies pilot program.
- Sec. 905. Advancing global leadership on civil supersonic aircraft.
- Sec. 906. CLEEN engine and airframe technology partnership.
- Sec. 907. Hypersonic flight testing.
- Sec. 908. Hypersonic pathway to integration study.
- Sec. 909. Operating high-speed flights in high altitude Class E airspace.
- Sec. 910. Electric propulsion aircraft operations study.
- Sec. 911. Contract weather observers program.
- Sec. 912. Airfield pavement technology program.
- Sec. 913. National aviation research plan modification.
- Sec. 914. FAA and NASA research and development coordination review.
- Sec. 915. Research and development of FAA's aeronautical information systems modernization activities.
- Sec. 916. Center of Excellence for Alternative Jet Fuels and Environment.
- Sec. 917. Aircraft Noise Advisory Committee.

TITLE X—MISCELLANEOUS

- Sec. 1001. Noise mitigation.

TITLE XI—TECHNICAL CORRECTIONS

- Sec. 1101. Technical corrections.

1 SEC. 2. DEFINITIONS.

2 In this Act:

1 (1) ADMINISTRATOR.—Unless otherwise speci-
2 fied, the term “Administrator” means the Adminis-
3 trator of the Federal Aviation Administration.

4 (2) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means the Committee on Commerce, Science,
7 and Transportation of the Senate and the Com-
8 mittee on Transportation and Infrastructure of the
9 House of Representatives.

10 (3) COMPTROLLER GENERAL.—The term
11 “Comptroller General” means the Comptroller Gen-
12 eral of the United States.

13 (4) FAA.—The term “FAA” means the Fed-
14 eral Aviation Administration.

15 (5) SECRETARY.—Unless otherwise specified,
16 the term “Secretary” means the Secretary of Trans-
17 portation.

18 **TITLE I—AUTHORIZATIONS**

19 **SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND** 20 **NOISE COMPATIBILITY PLANNING AND PRO-** 21 **GRAMS.**

22 (a) AUTHORIZATION.—Section 48103(a) of title 49,
23 United States Code, is amended by striking paragraphs
24 (1) through (6) and inserting the following: “

25 “(1) \$4,000,000,000 for fiscal year 2024;

1 “(2) \$4,000,000,000 for fiscal year 2025;
2 “(3) \$4,000,000,000 for fiscal year 2026;
3 “(4) \$4,000,000,000 for fiscal year 2027; and
4 “(5) \$4,000,000,000 for fiscal year 2028.”.

5 (b) OBLIGATION AUTHORITY.—Section 47104(c) of
6 title 49, United States Code, is amended, in the matter
7 preceding paragraph (1), by striking “2023,” and insert-
8 ing “2028,”.

9 **SEC. 102. FACILITIES AND EQUIPMENT.**

10 Section 48101(a) of title 49, United States Code, is
11 amended by striking paragraphs (1) through (6) and in-
12 serting the following:

13 “(1) \$3,575,000,000 for fiscal year 2024.
14 “(2) \$3,625,000,000 for fiscal year 2025.
15 “(3) \$3,675,000,000 for fiscal year 2026.
16 “(4) \$3,675,000,000 for fiscal year 2027.
17 “(5) \$3,675,000,000 for fiscal year 2028.”.

18 **SEC. 103. FAA OPERATIONS.**

19 (a) IN GENERAL.—Section 106(k)(1) of title 49,
20 United States Code, is amended by striking subpara-
21 graphs (A) through (F) and inserting the following:

22 “(A) \$12,740,000,000 for fiscal year 2024;
23 “(B) \$13,033,000,000 for fiscal year 2025;
24 “(C) \$13,500,000,000 for fiscal year 2026;

1 “(D) \$13,900,000,000 for fiscal year
2 2027; and

3 “(E) \$14,400,000,000 for fiscal year
4 2028.”.

5 (b) **AUTHORITY TO TRANSFER FUNDS.**—Section
6 106(k)(3) of title 49, United States Code, is amended by
7 striking “fiscal years 2018 through 2023” and inserting
8 “fiscal years 2024 through 2028”.

9 **SEC. 104. EXTENSION OF EXPIRING AUTHORITIES.**

10 (a) **MARSHALL ISLANDS, MICRONESIA, AND**
11 **PALAU.**—Section 47115(i) of title 49, United States Code,
12 is amended by striking “fiscal years 2018 through 2023”
13 and inserting “fiscal years 2024 through 2028”.

14 (b) **EXTENSION OF COMPATIBLE LAND USE PLAN-**
15 **NING AND PROJECTS BY STATE AND LOCAL GOVERN-**
16 **MENTS.**—Section 47141(f) of title 49, United States Code,
17 is amended by striking “September 30, 2023” and insert-
18 ing “September 30, 2028”.

19 (c) **MIDWAY ISLAND AIRPORT.**—Section 186(d) of
20 the Vision 100—Century of Aviation Reauthorization Act
21 (Public Law 108–176; 117 Stat. 2518) is amended by
22 striking “fiscal years 2018 through 2023” and inserting
23 “fiscal years 2024 through 2028”.

24 (d) **AUTHORITY TO PROVIDE INSURANCE.**—Section
25 44310(b) of title 49, United States Code, is amended by

1 striking “September 30, 2023” and inserting “September
2 30, 2028.”.

3 **SEC. 105. AUTHORITY TO SUBPOENA PHYSICAL EVIDENCE.**

4 Section 46104(a)(1) of title 49, United States Code,
5 is amended by striking “and records” and inserting “,
6 records, including documents and data, whether stored in
7 a physical or electronic format, and tangible objects”.

8 **SEC. 106. RESEARCH, ENGINEERING, AND DEVELOPMENT.**

9 Section 48102(a) of title 49, United States Code, is
10 amended—

11 (1) in paragraph (14), by striking “and” at the
12 end;

13 (2) by paragraph (15), by striking the period at
14 the end and inserting a semicolon; and

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

16 “(16) \$344,000,000 for fiscal year 2024;

17 “(17) \$360,000,000 for fiscal year 2025;

18 “(18) \$367,000,000 for fiscal year 2026;

19 “(19) \$374,000,000 for fiscal year 2027; and

20 “(20) \$390,000,000 for fiscal year 2028.”.

21 **SEC. 107. EFFECTIVE DATE.**

22 The amendments made by this subtitle (other than
23 in section 105) shall take effect on October 1, 2023.

1 **TITLE II—FAA OVERSIGHT AND**
2 **ORGANIZATION**
3 **Subtitle A—Organization**

4 **SEC. 201. FUTURE OF NEXTGEN.**

5 (a) COMPLETION AND SUNSET.—

6 (1) KEY PROGRAMS.—Not later than December
7 31, 2025, the FAA shall operationalize all the key
8 programs under the NextGen project as described in
9 the FAA’s deployment plan.

10 (2) OFFICE; ADVISORY COMMITTEE.—The
11 NextGen Office and the NextGen Advisory Com-
12 mittee shall terminate on December 31, 2025.

13 (3) TRANSFER OF RESIDUAL NEXTGEN IMPLE-
14 MENTATION FUNCTIONS; STATUS REPORT.—If the
15 FAA does not complete the NextGen project by the
16 deadline specified in paragraph (1), the Adminis-
17 trator shall transfer the residual functions of com-
18 pleting NextGen to the Airspace Innovation Office
19 established under section 202.

20 (4) TRANSFER OF ADVANCED AIR MOBILITY
21 FUNCTIONS.—Not later than 90 days after the date
22 of enactment of this section, any AAM (as defined
23 in section 106(u)(7) of title 49, United States Code
24 (as added by section 801)) relevant functions, du-
25 ties, and responsibilities of the NAS Systems, Engi-

1 neering, & Integration Office or other Offices within
2 the Office of NextGen shall be incorporated into the
3 Office of Advanced Aviation Technology and Innova-
4 tion established under section 106(u) of title 49,
5 United States Code (as so added).

6 (5) STATUS REPORTS.—If the FAA does not
7 complete the NextGen project by the deadline speci-
8 fied in paragraph (1), the Administrator shall, not
9 later than 30 days after such deadline, and quarterly
10 thereafter until all key programs under the NextGen
11 project are deployed, brief the appropriate commit-
12 tees of Congress on the status of each incomplete
13 program, including, with respect to each such incom-
14 plete program—

15 (A) an explanation as to why the program
16 deployment was delayed or not completed by
17 such deadline;

18 (B) an assessment of the key risks to the
19 full implementation of the program and a de-
20 scription of how the FAA is mitigating, or
21 plans to mitigate, those risks; and

22 (C) a detailed schedule of actions nec-
23 essary to complete the program, including up-
24 dated milestones and deadlines.

25 (b) INDEPENDENT REPORT.—

1 (1) IN GENERAL.—Not later than 90 days of
2 the date of enactment of this section, the Adminis-
3 trator shall contract with an independent third-party
4 contractor or a Federally funded research and devel-
5 opment center to develop a report reviewing and as-
6 ssuming the implementation of the NextGen project.

7 (2) REQUIREMENTS.—The report developed
8 under paragraph (1) shall include the following:

9 (A) Evaluation of the promised operational
10 benefits at the time of initiation and the real-
11 ized benefits upon completion of the NextGen
12 project.

13 (B) Recommendations for the technical ca-
14 pacity and resources needed by the FAA in
15 order to oversee a comprehensive airspace mod-
16 ernization project on-schedule and on-budget.

17 (C) Identification of programs under the
18 NextGen project that were significantly delayed,
19 significantly diminished, or ultimately not im-
20 plemented, including an explanation of the
21 cause of the delay, reduction, or removal of the
22 program from the NextGen project by the FAA.
23 This discussion shall include at a minimum,
24 programs relating to expanding surveillance
25 coverage across the country, increasing per-

1 performance-based navigation, and improving
2 enroute data communications.

3 (D) Identification of any challenges that
4 impacted the implementation of the NextGen
5 project.

6 (E) Identification of any lessons learned
7 during the NextGen project effort, and whether,
8 how, and to what effect those lessons may be
9 applied to future national airspace system mod-
10 ernization efforts.

11 (F) Assessment of national airspace sys-
12 tem user engagement in the NextGen project
13 priorities and implementation.

14 (G) Recommendations of the justifications
15 for further national airspace system moderniza-
16 tion efforts including economic, safety, effi-
17 ciency, capacity, predictability, and resiliency of
18 the United States air transportation system.

19 (3) DEADLINE.—Not later than June 30, 2026,
20 the report developed under paragraph (1) shall be
21 submitted to the Administrator and the appropriate
22 committees of Congress.

23 **SEC. 202. AIRSPACE INNOVATION OFFICE.**

24 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—On January 1, 2026, the
2 Administrator shall establish within the FAA the
3 Airspace Innovation Office (in this section referred
4 to as the “Office”).

5 (2) ASSISTANT ADMINISTRATOR.—The Office
6 shall be led by the Assistant Administrator.

7 (3) DUTIES.—The Office shall be responsible
8 for—

9 (A) the research and development, systems
10 engineering, enterprise architecture, and port-
11 folio management for the continuous mod-
12 ernization of the national airspace system; and

13 (B) developing an integrated plan for the
14 future state of the national airspace system and
15 overseeing the deployment of the system.

16 (4) CONSULTATION.—The Assistant Adminis-
17 trator shall consult, as necessary, with the Chief
18 Technology Officer appointed under section 106(s)
19 of title 49, United States Code, and the Associate
20 Administrator for Advanced Aviation Technology
21 and Innovation appointed under section 106(u) of
22 title 49, United States Code (as added by section
23 801).

24 (b) INTEGRATED PLAN REQUIREMENTS.—The inte-
25 grated plan developed by the Office shall be designed to

1 ensure that the national airspace system meets future
2 safety, security, mobility, efficiency, and capacity needs of
3 a diverse set of airspace users. The integrated plan shall
4 include the following:

5 (1) A description of the demand for services
6 that will be required of the Nation's future air
7 transportation system, and an explanation of how
8 those demand projections were derived, including—

9 (A) the most likely range of average an-
10 nual resources required over the duration of the
11 plan to cost-effectively maintain the safety, sus-
12 tainability, and other characteristics of national
13 airspace operation and the FAA's mission; and

14 (B) an estimate of FAA resource require-
15 ments by user group, including expectations
16 concerning the growth of new entrants and po-
17 tential new users.

18 (2) A roadmap for creating and implementing
19 the integrated plan, including—

20 (A) the most significant technical, oper-
21 ational, and personnel obstacles and the activi-
22 ties necessary to overcome such obstacles, in-
23 cluding the role of other Federal agencies, cor-
24 porations, institutions of higher learning, and

1 non-profit organizations in carrying out such
2 activities;

3 (B) the annual anticipated cost of carrying
4 out such activities; and

5 (C) the technical milestones that will be
6 used to evaluate the activities.

7 (3) A description of the operational concepts to
8 meet the system performance requirements for all
9 system users and a timeline and anticipated expendi-
10 tures needed to develop and deploy the system.

11 (4) The management of the enterprise architec-
12 ture framework for the introduction of these oper-
13 ational improvements and to inform FAA financial
14 decision-making.

15 (5) A business case for the operational improve-
16 ments that the Office will develop and deploy not
17 later than 2040, including the benefits, costs, and
18 risks of the preferred and alternative options.

19 (c) CONSIDERATIONS.—In developing and carrying
20 out the integrated plan, the Office shall consider—

21 (1) the results and recommendations of the
22 independent report on implementation of the
23 NextGen project under section 201(b);

1 (2) the status of the transition to, and deploy-
2 ment of, trajectory-based operations within the na-
3 tional airspace system; and

4 (3) the audit of legacy systems required by sec-
5 tion 407, and the resulting plan to replace or en-
6 hance the identified legacy systems within a reason-
7 able time frame.

8 (d) CONSULTATION.—In developing and carrying out
9 the integrated plan, the Office shall consult with rep-
10 resentatives from—

11 (1) the National Aeronautics and Space Admin-
12 istration;

13 (2) airlines;

14 (3) business aviation;

15 (4) general aviation;

16 (5) aviation labor groups;

17 (6) aviation research and development entities;

18 (7) aircraft and avionics manufacturers;

19 (8) air traffic control suppliers;

20 (9) commercial space industry;

21 (10) commercial and recreational drone indus-
22 try; and

23 (11) any other entities the Office deems nec-
24 essary.

25 (e) PLAN DEADLINE; BRIEFINGS.—

1 (1) PLAN DEADLINE.—Not later than Novem-
2 ber 30, 2026, the Administrator shall submit the in-
3 tegrated plan required by subsection (a)(3)(B) to the
4 Committee on Commerce, Science, and Transpor-
5 tation of the Senate, the Committee on Appropria-
6 tions of the Senate, the Committee on Transpor-
7 tation and Infrastructure of the House of Represent-
8 atives, and the Committee on Appropriations of the
9 House of Representatives.

10 (2) ANNUAL BRIEFINGS.—The Administrator
11 shall provide the committees of Congress specified in
12 paragraph (1) with an annual briefing describing the
13 progress in carrying out the integrated plan required
14 by subsection (a)(3)(B), including any changes to
15 the plan.

16 (f) DOT INSPECTOR GENERAL REVIEW.—Not later
17 than 180 days following submission of the integrated plan
18 under subsection (e)(1), the Inspector General of the De-
19 partment of Transportation shall review the integrated
20 plan and submit to the committees of Congress specified
21 in paragraph (1) a report that—

22 (1) assesses the business case for the integrated
23 plan;

24 (2) provides any recommendations for improv-
25 ing the integrated plan; and

1 (3) includes any other information that the In-
2 specter General determines appropriate.

3 (g) LIMITATION.—The FAA is not authorized to
4 spend any amounts on the deployment of new air traffic
5 management technologies and operational improvements
6 that have yet to be deployed and identified in the inte-
7 grated plan until the committees of Congress specified in
8 paragraph (1) have been briefed under subsection (e)(2).

9 **SEC. 203. COMMERCIAL SOFTWARE OPTIONS FOR IMPROV-**
10 **ING ASIAS ANALYTICS.**

11 (a) ASIAS ANALYTICS.—

12 (1) EVALUATION.—Not later than 180 days
13 after the date of enactment of this section, the Ad-
14 ministrator shall evaluate whether commercial soft-
15 ware solutions are available to improve the FAA’s
16 Aviation Safety Information Analysis and Sharing
17 (ASIAS) system to advance the system’s predictive
18 capabilities and analytical solutions developed.

19 (2) REQUIREMENTS.—In carrying out the eval-
20 uation required by paragraph (1), the Administrator
21 shall—

22 (A) prioritize production-ready
23 configurable solutions over custom development
24 to support FAA critical aviation safety pro-
25 grams; and

1 (B) ensure that adequate market research
2 is completed in accordance with FAA acquisi-
3 tion management system requirements, includ-
4 ing appropriate live demonstrations of proposed
5 solutions, as part of the evaluation criteria.

6 (b) CONGRESSIONAL BRIEFING.—Not later than 2
7 years after the date of enactment of this section, the Ad-
8 ministrator shall submit to the appropriate committees of
9 Congress a briefing on the results of the evaluation carried
10 out under subsection (a) that—

11 (1) includes an assessment of the FAA’s
12 progress toward achieving previously identified mile-
13 stones for ASIAS by the Inspector General of the
14 Department of Transportation and the Special Com-
15 mittee to Review FAA Aircraft Certification Re-
16 ports; and

17 (2) outlines the FAA’s plan to use rapidly
18 deployable commercial solutions to assist the FAA in
19 meeting such milestones.

20 **SEC. 204. AUTHORITY TO USE ELECTRONIC SERVICE.**

21 Section 46103 of title 49, United States Code, is
22 amended—

23 (1) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (B), by striking
2 “or” after the semicolon;

3 (ii) in subparagraph (C), by striking
4 the period at the end and inserting a semi-
5 colon; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(D) by electronic or facsimile trans-
9 mission to the person to be served or the des-
10 ignated agent of the person; or

11 “(E) as designated by regulation or guid-
12 ance published in the Federal Register.”; and

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

14 “(3) The date of service made by an electronic
15 or facsimile method is—

16 “(A) the date an electronic or facsimile
17 transmission is sent; or

18 “(B) the date a notification is sent by an
19 electronic or facsimile method that a notice,
20 process, or action is immediately available and
21 accessible in an electronic database.”; and

22 (2) in subsection (c) by striking the first sen-
23 tence and inserting “Service on an agent designated
24 under this section shall be made at the office or
25 usual place of residence of the agent or at the elec-

1 tronic or facsimile address designated by the
2 agent.”.

3 **Subtitle B—Regulatory Reform**

4 **SEC. 211. SAFETY AND EFFICIENCY THROUGH** 5 **DIGITIZATION OF FAA SYSTEMS.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this section, the Administrator
8 shall—

9 (1) identify, at the discretion of the Adminis-
10 trator, 3 processes of the FAA that result in a cer-
11 tification (such as an aircraft certification, aircraft
12 registration, or airmen certification) or authoriza-
13 tion, an exemption, or a letter of authorization; and

14 (2) initiate the digitization of such processes.

15 (b) REQUIREMENTS.—In carrying out the digitization
16 required by subsection (a), the Administrator shall ensure
17 that the digitization of any process allows for—

18 (1) an applicant to track their application
19 throughout the period of submission and review of
20 such application; and

21 (2) the status of the application to be available
22 upon demand to the applicant, as well as FAA em-
23 ployees responsible for reviewing and making a deci-
24 sion on the application.

1 (c) BRIEFING TO CONGRESS.—Not later than 1 year
2 after the date on which the Administrator initiates the
3 digitization under subsection (a)(2), the Administrator
4 shall brief the appropriate committees of Congress on the
5 progress of such digitization.

6 (d) DEFINITION OF DIGITIZATION.—In this section,
7 the term “digitization” means the transition from a pre-
8 dominantly paper-based system to a system centered on
9 the use of a data management system and the internet.

10 **SEC. 212. REPORT ELIMINATION OR MODIFICATION.**

11 (a) REPORTS MODIFIED.—

12 (1) REPORT ON THE AIRPORT IMPROVEMENT
13 PROGRAM.—

14 (A) IN GENERAL.—Section 47131(a) of
15 title 49, United States Code, is amended by
16 striking the first sentence and inserting “Not
17 later than June 1, 2025, and biennially there-
18 after, the Secretary of Transportation shall sub-
19 mit to Congress a report on activities carried
20 out under this subchapter during the prior 2
21 fiscal years.”.

22 (B) CONFORMING AMENDMENTS.—

23 (i) Section 47131 of title 49, United
24 States Code, is amended in the section

1 heading by striking “**Annual**” and insert-
2 ing “**Biennial**”.

3 (ii) The analysis for chapter 471 of
4 title 49, United States Code, is amended
5 by striking the item relating to section
6 47131 and inserting the following:

“47131. Biennial report.”.

7 (2) NATIONAL AVIATION RESEARCH PLAN.—

8 (A) Section 44501(c)(1) of title 49, United
9 States Code, is amended by striking “the date
10 of submission” and inserting “90 days after the
11 date of submission”.

12 (B) Section 48102(g) of title 49, United
13 States Code, is amended by striking “the date
14 of submission” and inserting “90 days after the
15 date of submission”.

16 (b) REPORTS ELIMINATED.—

17 (1) LASER POINTER INCIDENTS.—Section
18 2104(a) of the FAA Extension, Safety, and Security
19 Act of 2016 (49 U.S.C. 46301 note) is amended by
20 striking “Beginning 90 days after the date of enact-
21 ment of this Act, the Administrator of the Federal
22 Aviation Administration, in coordination with appro-
23 priate Federal law enforcement agencies, shall pro-
24 vide quarterly updates to the appropriate committees
25 of Congress regarding” and inserting “The Adminis-

1 trator of the Federal Aviation Administration, in co-
2 ordination with appropriate Federal law enforcement
3 agencies, shall provide an annual briefing to the ap-
4 propriate committees of Congress regarding”.

5 (2) REPORT ON HELICOPTER AIR AMBULANCE
6 OPERATIONS.—Section 44731 of title 49, United
7 States Code, is amended—

8 (A) in subsection (d)—

9 (i) in the subsection heading, by strik-
10 ing “REPORT TO CONGRESS” and inserting
11 “BRIEFING”;

12 (ii) by striking the first sentence and
13 inserting “The Administrator shall provide
14 a briefing to the Committee on Transpor-
15 tation and Infrastructure of the House of
16 Representatives and the Committee on
17 Commerce, Science, and Transportation of
18 the Senate annually on the data collected
19 under subsection (a).”; and

20 (iii) in the second sentence by striking
21 “report” and inserting “briefing”; and

22 (B) in subsection (e)(2), by striking “the
23 report” and inserting “the briefing”.

1 **SEC. 213. INTERNAL REGULATORY PROCESS REVIEW.**

2 (a) IN GENERAL.—The Secretary shall establish an
3 internal regulatory process review team (in this section re-
4 ferred to as the “review team”) comprising of FAA em-
5 ployees and individuals described in subsection (b) to de-
6 velop recommendations to improve the timeliness of, and
7 performance accountability in, the development and pro-
8 mulgation of regulatory materials (as defined in sub-
9 section (g)). The review team shall deliver a report with
10 recommendations to the Secretary in accordance with the
11 deadlines specified in subsection (e).

12 (b) OTHER MEMBERS; CONSULTATION.—

13 (1) IN GENERAL.—The review team shall in-
14 clude outside experts and academics with relevant
15 experience or expertise in aviation safety and in im-
16 proving the performance, accountability, and trans-
17 parency of the Federal regulatory process, particu-
18 larly as it relates to aviation safety. The review team
19 shall include at least 3 outside experts or academics
20 with relevant experience or expertise in aviation
21 safety and at least 1 outside expert or academic with
22 relevant experience or expertise in improving the
23 performance, accountability, and transparency of the
24 Federal regulatory process, particularly as it relates
25 to aviation safety.

1 (2) CONSULTATION.—The review team may, as
2 appropriate, consult with industry stakeholders.

3 (c) CONTENTS OF REVIEW.—In conducting the re-
4 view required under subsection (a), the review team shall
5 do the following:

6 (1) Develop a proposal for rationalizing proc-
7 esses and eliminating redundant administrative re-
8 view of regulatory materials within the FAA, par-
9 ticularly when FAA-sponsored rule-making commit-
10 tees and stakeholders have collaborated on the pro-
11 posed regulations to address airworthiness standards
12 deficiencies.

13 (2) With respect to each office within the FAA
14 that reviews regulatory materials, assess—

15 (A) the timeline assigned to each such of-
16 fice to complete the review of regulatory mate-
17 rials;

18 (B) the actual time spent for such review;

19 (C) opportunities to reduce the actual time
20 for such review; and

21 (D) whether clear roles, responsibilities, re-
22 quirements, and expectations are clearly defined
23 for each office required to review the regulatory
24 materials.

1 (3) Define and document the roles and respon-
2 sibilities of each office within the FAA that develops,
3 drafts or reviews each kind of regulatory material in
4 order to ensure that hiring reflects who, where, and
5 how these employees function in the rulemaking
6 framework.

7 (4) Describe any organizational changes or the
8 need to hire additional FAA employees, if necessary
9 and taking into consideration whether current posi-
10 tions are staffed, to reduce delays in publication of
11 proposed and final regulatory materials.

12 (5) In order to provide the public with detailed
13 information on the progress of the development of
14 regulatory materials, identify reporting mechanisms
15 and develop a template and appropriate system
16 metrics for making publicly available on a website a
17 real-time progress tracker that updates itself to
18 show the major stages (as determined by the Sec-
19 retary) of the development of regulatory materials as
20 they are initiated, in progress, and completed, from
21 inception of a proposed development of regulatory
22 materials to publication of the final version of such
23 materials.

24 (6) Consider changes to the FAA's best prac-
25 tices under rules governing ex parte communications

1 with other validating authorities, including inter-
2 national validating authorities, and with consider-
3 ation of the public interest in transparency, to pro-
4 vide flexibility for FAA employees to discuss regu-
5 latory materials, particularly for those related to en-
6 hancing aviation safety and the United States' avia-
7 tion international leadership.

8 (7) Recommend methods by which the FAA can
9 incorporate research funded by the Department of
10 Transportation, in addition to consensus standards
11 and conformance assessment processes set by private
12 sector standards-developing organizations into regu-
13 latory materials, to keep pace with rapid changes in
14 aviation technologies and processes.

15 (8) Recommend mechanisms to optimize the
16 roles of the Office of the Secretary of Transpor-
17 tation and the Office of Management and Budget,
18 with the objective of improving the efficiency of reg-
19 ulatory activity.

20 (d) ACTION PLAN.—The Administrator shall develop
21 an action plan to implement the recommendations devel-
22 oped by the review team. The Administrator shall publish
23 the action plan on the Internet website of the FAA and
24 shall transmit the plan to the appropriate committees of
25 Congress.

1 (e) DEADLINES.—The requirements of this section
2 shall be subject to the following deadlines:

3 (1) The review team shall complete the evalua-
4 tion required under subsection (a) and submit the
5 review team’s report on such evaluation to the Sec-
6 retary not later than 120 days after the date of en-
7 actment of this section.

8 (2) The Administrator shall develop and publish
9 the action plan under subsection (d) not later than
10 30 days after the date on which the review team
11 submits the report required by subsection (a) to the
12 Administrator.

13 (f) ADMINISTRATIVE PROCEDURE REQUIREMENTS
14 INAPPLICABLE.—The provisions of subchapter II of chap-
15 ter 5, and chapter 7, of title 5, United States Code (com-
16 monly known as the “Administrative Procedure Act”)
17 shall not apply to any activities of the review team in car-
18 rying out the requirements of this section.

19 (g) REGULATORY MATERIALS DEFINED.—In this
20 section, the term “regulatory materials” means rules, or-
21 ders, advisory circulars, statements of policy, guidance,
22 and other materials related to aviation safety regulations,
23 as well as other materials pertaining to training and oper-
24 ation of aeronautical products.

1 **SEC. 214. REVIEW AND UPDATES OF CATEGORICAL EXCLU-**
2 **SIONS.**

3 Not later than 2 year after the date of enactment
4 of this section, the Secretary shall—

5 (1) identify each categorical exclusion under the
6 jurisdiction of the Department of Transportation
7 (referred to in this section as the “Department”),
8 including any operating administration within the
9 Department; and

10 (2) review, adopt, and broaden the applicability
11 of categorical exclusions to enable the use by oper-
12 ating administrations of the Department, as relevant
13 and appropriate, of categorical exclusions identified
14 in paragraph (1).

15 **TITLE III—SAFETY**
16 **IMPROVEMENTS**

17 **SEC. 301. INDEPENDENT STUDY ON FUTURE STATE OF**
18 **TYPE CERTIFICATION PROCESSES.**

19 (a) REVIEW AND STUDY.—Not later than 60 days
20 after the date of enactment of this section, subject to the
21 availability of appropriations, the Administrator shall
22 enter into an agreement with an appropriate Federally-
23 funded research and development center, or other inde-
24 pendent nonprofit organization that recommends solutions
25 to aviation policy challenges through objective analysis, to

1 conduct a review and study in accordance with the require-
2 ments and elements set forth in this section.

3 (b) ELEMENTS.—The review and study under sub-
4 section (a) shall provide analyses, assessments, and rec-
5 ommendations that address the following:

6 (1) A vision for a future state of type certifi-
7 cation that reflects the highly complex, highly inte-
8 grated nature of today’s aircraft and improvements
9 in aviation safety.

10 (2) A review of the current tools and techniques
11 used for type certification and an evaluation of
12 whether use of advanced digital tools and tech-
13 niques, including model-based system engineering,
14 would improve the type certification process and en-
15 hance aviation safety.

16 (3) How the FAA could develop a risk-based
17 model for type certification that improves the safety
18 of aircraft.

19 (4) What changes are needed to ensure that
20 corrective actions for continued operational safety
21 issues can be approved and implemented quickly,
22 particularly with respect to software modifications,
23 while maintaining the safety of the type certification
24 process.

1 (5) What efficiencies and safety process im-
2 provements are needed in the FAA's type certifi-
3 cation system that will facilitate the assessment and
4 integration of innovating technologies that advance
5 aviation safety, such as conducting product famil-
6 iarization, developing certification requirements, and
7 demonstrating flight test safety readiness.

8 (6) Best practices and tools used by other cer-
9 tification authorities that could be adopted by the
10 FAA and the United States, as well as the best
11 practices and tools used by the United States which
12 can be shared with other certification authorities.

13 (c) REPORT.—Not later than 15 months after the
14 date of enactment of this section, the organization con-
15 ducting the review and study shall submit to the Adminis-
16 trator and the appropriate committees of Congress a re-
17 port on the results of the review and study that includes
18 the findings and recommendations of the organization.

19 (d) CONGRESSIONAL BRIEFING.—Not later than 270
20 days after the report required under subsection (c) is sub-
21 mitted to the Administrator, the Administrator shall brief
22 the appropriate committees of Congress regarding the
23 FAA's response to the findings and recommendations of
24 such report, what actions the FAA will take as a result
25 of such findings and recommendations, and the FAA ra-

1 tionale for not taking action on any specific recommenda-
2 tion.

3 **SEC. 302. REPORT ON INTERNATIONAL VALIDATION PRO-**
4 **GRAM PERFORMANCE.**

5 (a) IN GENERAL.—Not later than 120 days after the
6 date of enactment of this section, the Secretary shall
7 evaluate the performance of the FAA’s type certificate val-
8 idation program under bilateral agreements, with ref-
9 erence to agreed implementation procedures.

10 (b) CONTENTS.—The evaluation under subsection (a)
11 shall consider, at minimum, the following:

12 (1) Progress under section 243(a) of the FAA
13 Reauthorization Act of 2018 (49 U.S.C. 44701 note)
14 with respect to improving the FAA’s leadership
15 abroad.

16 (2) Performance, with reference to metrics such
17 as the number and types of projects, timeline mile-
18 stones, the validating authority level of involvement
19 and certifying authority delegation, and trends relat-
20 ing to the repeated use of non-basic criteria, relating
21 to review systems or methods of compliance that
22 have been validated previously in similar context.

23 (3) Training on the minimum standards for val-
24 idation work plan content, such as the validating au-
25 thority level of involvement, and what constitutes

1 justification for level of involvement and compliance
2 document requests.

3 (4) The perspectives of FAA employees respon-
4 sible for type validation projects, bilateral civil avia-
5 tion regulatory partners, and industry applicants, on
6 the FAA's performance in carrying out validation
7 projects.

8 (5) The levels of funding and staffing for the
9 International Validation Branch of the Compliance
10 and Airworthiness Division of the Aircraft Certifi-
11 cation Service of the FAA compared to the Branch's
12 workload and goals.

13 (6) The effectiveness of FAA training for em-
14 ployees and of outreach conducted to improve and
15 enforce validation processes.

16 (7) Efforts undertaken to strengthen relation-
17 ships with international certification authorities to
18 maximize safety cooperation and the use of approv-
19 als issued by other certifying authorities in compli-
20 ance with applicable bilateral agreements and imple-
21 mentation procedures.

22 (c) REPORT.—The Administrator shall issue a report
23 regarding the evaluation required under subsection (a) to
24 the appropriate committees of Congress not later than 1
25 year after the date of enactment of this section.

1 **SEC. 303. HIGH RISK FLIGHT TESTING.**

2 (a) IN GENERAL.—Not later than 2 years after the
3 date of enactment of this section, the Administrator shall
4 take necessary actions, including as appropriate, amend-
5 ing part 21 of title 14, Code of Federal Regulations, and
6 revising or modifying any associated advisory circulars,
7 guidance, or policy of the FAA, in accordance with this
8 section to improve flight test safety risk.

9 (b) REQUIREMENTS.—In developing, amending, re-
10 vising, or modifying regulations, advisory circulars, guid-
11 ance, or policy under subsection (a), the Administrator
12 shall do the following:

13 (1) Develop validation criteria and procedures
14 whereby data produced in high fidelity engineering
15 laboratories and facilities may be allowed in conjunc-
16 tion with, or in lieu of, data produced on a flying
17 test article to support an applicant’s showing of
18 compliance required under section 21.35(a)(1) of
19 title 14, Code of Federal Regulations.

20 (2) Develop criteria and procedures whereby an
21 Organization Designation Authorization (as defined
22 in section 44736(c)(5) of title 49, United States
23 Code) may recommend that certain data produced
24 during an applicant’s company flight test program
25 may be accepted by the FAA as final compliance
26 data in accordance with section 21.35(b) of title 14,

1 Code of Federal Regulations, at the sole discretion
2 of the FAA.

3 (3) Work with other civil aviation authorities
4 representing States of Design to identify their best
5 practices relative to high-risk flight testing and
6 adopt those practices into the FAA's flight-testing
7 requirements to the maximum extent practicable.

8 **SEC. 304. RECORDING DEVICES.**

9 (a) IN GENERAL.—Chapter 447 of title 49, United
10 States Code, is amended by adding at the end the fol-
11 lowing new section:

12 **“§ 44745. Cockpit recording device**

13 “(a) IN GENERAL.—Not later than 18 months after
14 the date of enactment of this section, the Administrator
15 of the Federal Aviation Administration shall complete a
16 rulemaking proceeding to—

17 “(1) require that, not later than 4 years after
18 the date of enactment of this Act, all applicable air-
19 craft are fitted with a cockpit voice recorder and a
20 flight data recorder that are each capable of record-
21 ing the most recent 25 hours of data;

22 “(2) prohibit any person from deliberately eras-
23 ing or tampering with any recording on such a cock-
24 pit voice recorder or flight data recorder following a
25 National Transportation Safety Board reportable

1 event under part 830 of title 49, Code of Federal
2 Regulations, and provide for civil and criminal pen-
3 alties for such deliberate erasing or tampering,
4 which may be assessed in accordance with section
5 1155 of this title and section 32 of title 18;

6 “(3) require that such a cockpit voice recorder
7 has the capability for an operator to use an erasure
8 feature, such as an installed bulk erase function,
9 consistent with applicable law and regulations;

10 “(4) require that, in the case of such a cockpit
11 voice recorder or flight data recorder that uses a
12 solid state recording medium in which activation of
13 a bulk erase function assigns a random discrete code
14 to the deleted recording, only the manufacturer of
15 the recorder and National Transportation Safety
16 Board have access to the software necessary to de-
17 termine the code in order to extract the deleted re-
18 corded data; and

19 “(5) ensure that data on such a cockpit voice
20 recorder or a flight data recorder, through technical
21 means other than encryption (such as overwriting or
22 the substitution of a blank recording medium before
23 the recorder is returned to the owner) is not dis-
24 closed for use other than for accident or incident in-
25 vestigation purposes.

1 “(b) PROHIBITED USE.—A cockpit voice recorder re-
2 cording shall not be used by the Administrator or any em-
3 ployer for any certificate action, civil penalty, or discipli-
4 nary proceedings against flight crewmembers.

5 “(c) APPLICABLE AIRCRAFT DEFINED.—In this sec-
6 tion, the term ‘applicable aircraft’ means an aircraft that
7 is—

8 “(1) operated under part 121 or 135 of title 14,
9 Code of Federal Regulations; and

10 “(2) required by regulation to have a cockpit
11 voice recorder or a flight data recorder.”.

12 (b) CLERICAL AMENDMENT.—The analysis for chap-
13 ter 447 of title 49, United States Code, is amended by
14 inserting after the item relating to section 44744 the fol-
15 lowing:

 “44745. Recording devices.”.

16 **SEC. 305. HELICOPTER SAFETY.**

17 (a) IN GENERAL.—Not later than 270 days after the
18 date of enactment of this section, the Administrator shall
19 task the Aviation Rulemaking Advisory Committee (in this
20 section referred to as the “Committee”) with reviewing
21 and assessing the need for changes to the safety require-
22 ments for turbine-powered rotorcraft certificated for 6 or
23 more passenger seats in relation to flight data recorders,
24 flight data monitoring, and terrain awareness and warning
25 systems. The Committee shall submit to the Administrator

1 a report on the findings from such review and assessment,
2 together with recommendations for such legislative or ad-
3 ministrative action the Committee deems appropriate.

4 (b) CONSIDERATIONS.—In reviewing and assessing
5 the safety requirements under subsection (a), the Com-
6 mittee shall consider—

7 (1) any applicable safety recommendations of
8 the National Transportation Safety Board; and

9 (2) the operational requirements and safety
10 considerations for operations under parts 121 and
11 135 of title 14, Code of Federal Regulations.

12 (c) BRIEFING.—Not later than 30 days after the date
13 on which the Committee submits the report under sub-
14 section (a), the Administrator shall brief the appropriate
15 committees of Congress on—

16 (1) the findings and recommendations included
17 in the Committee’s report; and

18 (2) the Administrator’s plan, if any, to imple-
19 ment such recommendations.

20 **SEC. 306. REVIEW AND INCORPORATION OF HUMAN READI-**
21 **NESS LEVELS INTO AGENCY GUIDANCE MA-**
22 **TERIAL.**

23 (a) FINDINGS.—Congress finds the following:

24 (1) Proper attention to human factors during
25 the development of technological systems is a signifi-

1 cant factor in minimizing or preventing human
2 error.

3 (2) The evaluation and monitoring of a new
4 aviation technology or system with respect to human
5 use throughout its design and development may re-
6 duce human error in new systems and technologies
7 when used in operational conditions.

8 (3) The technical standard “ANSI/HFES 400–
9 2021, Human Readiness Level Scale in the System
10 Development Process” defines the 9 levels of a
11 Human Readiness Level scale and their application
12 in systems engineering and human systems integra-
13 tion processes.

14 (b) REVIEW.—Not later than 90 days after the date
15 of enactment of this section, the Administrator shall ini-
16 tiate a process to review ANSI/HFES Standard 400–2021
17 and determine whether any materials from this standard
18 can and should be incorporated or referenced in agency
19 procedures and guidance material in order to enhance
20 safety in relation to human factors.

21 (c) CONSULTATION.—In carrying out subsection (b),
22 the Administrator shall conduct a review of the ANSI/
23 HFES 400–2021 technical standard and may consult with
24 subject matter experts affiliated with the authoring orga-
25 nization for such technical standard.

1 (d) BRIEFING.—Not later than 180 days after the
2 date of enactment of this section, the Administrator shall
3 brief the appropriate committees of Congress on the
4 progress of the review required by subsection (b).

5 **SEC. 307. SERVICE DIFFICULTY REPORTS.**

6 (a) ANNUAL CONGRESSIONAL BRIEFINGS.—Not later
7 than 1 year after the date of enactment of this section,
8 and annually thereafter, the Administrator shall brief the
9 appropriate committees of Congress on compliance during
10 the preceding year with requirements relating to Service
11 Difficulty Reports, specifically—

12 (1) compliance by operators with the require-
13 ments of section 121.703 of title 14, Code of Fed-
14 eral Regulations;

15 (2) compliance by approval or certificate hold-
16 ers with the requirements of section 183.63 of title
17 14, Code of Federal Regulations; and

18 (3) compliance by FAA offices with the require-
19 ments for investigation of Service Difficulty Reports,
20 as documented in the following FAA Orders (and
21 any subsequent revisions of such Orders):

22 (A) FAA Order 8900.1A, Flight Standards
23 Information Management System (issued Octo-
24 ber 27, 2022);

1 (B) FAA Order 8120.23A, Certificate
2 Management of Production Approval Holders
3 (issued March 6, 2017); and

4 (C) FAA Order 8110.107A, Monitor Safe-
5 ty/Analyze Data (issued October 1, 2012).

6 (b) REQUIREMENTS.—The briefings required by sub-
7 section (a) shall include the following with respect to the
8 preceding year:

9 (1) Identification of categories of service dif-
10 ficulties reported, as determined by the Adminis-
11 trator, including repetitive service difficulties re-
12 ported.

13 (2) The causes of the service difficulties, as de-
14 termined by the Administrator.

15 (3) Actions taken by, or required by, the Ad-
16 ministrator to address the identified causes of serv-
17 ice difficulties.

18 (4) Violations of title 14, Code of Federal Reg-
19 ulations, and what, if any, action the FAA took in
20 response to a violation, including any actions set
21 forth in FAA Order 2150.3C, FAA Compliance and
22 Enforcement Program w/Changes 1-10 (issued Sep-
23 tember 18, 2018) (or any subsequent revisions of
24 such Order).

1 **SEC. 308. ACCOUNTABILITY AND COMPLIANCE.**

2 (a) IN GENERAL.—Section 44704(a)(1) of title 49,
3 United States Code, is amended by adding at the end the
4 following: “When an applicant submits design data to the
5 Administrator for a finding of compliance as part of an
6 application for a type certificate, the applicant shall certify
7 to the Administrator that the submitted design data dem-
8 onstrates compliance with the applicable airworthiness
9 standards or that any airworthiness standards not com-
10 plied with are compensated for by factors that provide an
11 equivalent level of safety as agreed upon by the Adminis-
12 trator.”

13 (b) REPORT TO CONGRESS.—Not later than 1 year
14 after the date of enactment of this section, the Adminis-
15 trator shall provide to the appropriate committees of Con-
16 gress a briefing on the implementation of the certification
17 required by the amendment made by subsection (a).

18 **SEC. 309. ACCOUNTABILITY FOR AIRCRAFT REGISTRATION**
19 **NUMBERS.**

20 The Administrator shall review the process of reserv-
21 ing aircraft registration numbers and implement appro-
22 priate changes to ensure the fair participation by the gen-
23 eral public, including the implementation of readily avail-
24 able software to prevent any computer auto-fill systems
25 from reserving aircraft registration numbers in bulk.

1 **SEC. 310. AIRCRAFT REGISTRATION.**

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

5 **“§ 44114. Reregistration of aircraft**

6 “If an application for reregistration of an aircraft is
7 filed before the date on which the aircraft’s registration
8 expires, the aircraft may continue to be operated after the
9 expiration of the 90-day period following the date on which
10 the owner of the aircraft filed such reregistration applica-
11 tion (without regard for whether the Administrator has
12 received such reregistration application), provided that—

13 “(1) any operator of the aircraft has evidence
14 aboard the aircraft that the owner of the aircraft
15 filed the reregistration application with the Adminis-
16 trator not less than 90 days previously; and

17 “(2) the Administrator has not rejected such
18 reregistration application.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall take effect on the date that is 90 days
21 after the date of enactment of this section.

22 (c) CLERICAL AMENDMENT.—The analysis for chap-
23 ter 441 of such title is amended by inserting after the
24 item relating to section 44113 the following:

“44114. Reregistration of aircraft.”.

1 **SEC. 311. FAA OVERSIGHT OF REPAIR STATIONS LOCATED**
2 **OUTSIDE THE UNITED STATES.**

3 (a) IN GENERAL.—Section 44733 of title 49, United
4 States Code, is amended—

5 (1) in the section heading by striking “**In-**
6 **spection**” and inserting “**Oversight**”;

7 (2) in subsection (e)—

8 (A) in the first sentence—

9 (i) by inserting “, without prior notice
10 to such repair stations,” after “annually”;
11 and

12 (ii) by inserting “and the applicable
13 laws of the country in which a repair sta-
14 tion is located” after “international agree-
15 ments”; and

16 (B) by striking the second sentence and in-
17 serting “The Administrator may carry out an-
18 nounced or unannounced inspections in addition
19 to the annual unannounced inspection required
20 under this subsection based on identified risks
21 and in a manner consistent with United States
22 obligations under international agreements and
23 with the applicable laws of the country in which
24 a repair station is located.”;

25 (3) by redesignating subsection (g) as sub-
26 section (i); and

1 (4) by inserting after subsection (f) the fol-
2 lowing:

3 “(g) DATA ANALYSIS.—

4 “(1) IN GENERAL.—An air carrier conducting
5 operations under part 121 of title 14, Code of Fed-
6 eral Regulations, shall, if applicable, provide to the
7 appropriate office of the Administration, not less
8 than once every year, a report containing the infor-
9 mation described in paragraph (2) with respect to
10 heavy maintenance work on aircraft (including on-
11 wing aircraft engines) performed in the preceding
12 year.

13 “(2) INFORMATION REQUIRED.—A report under
14 paragraph (1) shall contain the following informa-
15 tion:

16 “(A) The location where any heavy mainte-
17 nance work on aircraft (including on-wing air-
18 craft engines) was performed outside the
19 United States.

20 “(B) A description of the work performed
21 at each such location.

22 “(C) The date of completion of the work
23 performed at each such location.

24 “(D) If applicable, a list of all failures,
25 malfunctions, or defects affecting the safe oper-

1 ation of such aircraft identified by the air car-
2 rier within 30 days after the date on which an
3 aircraft is returned to service, organized by ref-
4 erence to aircraft registration number, that—

5 “(i) requires corrective action after
6 the aircraft is approved for return to serv-
7 ice; and

8 “(ii) results from the work performed
9 on such aircraft.

10 “(E) The certificate number of the person
11 approving such aircraft or on-wing aircraft en-
12 gine, for return to service following completion
13 of the work performed at each such location.

14 “(3) ANALYSIS.—The Administrator of the
15 Federal Aviation Administration shall—

16 “(A) analyze information made available
17 under paragraph (1) of this subsection and sec-
18 tions 121.703, 121.705, 121.707, and 145.221
19 of title 14, Code of Federal Regulations, or any
20 successor provisions, to detect safety issues as-
21 sociated with heavy maintenance work on air-
22 craft (including on-wing aircraft engines) per-
23 formed outside the United States; and

24 “(B) require appropriate actions in re-
25 sponse.

1 “(4) CONFIDENTIALITY.—Information made
2 available under paragraph (1) shall be subject to the
3 same protections given to voluntarily provided safety
4 or security related information under section 40123.

5 “(h) MINIMUM QUALIFICATIONS FOR MECHANICS
6 AND OTHERS WORKING ON U.S. REGISTERED AIR-
7 CRAFT.—

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 require that, at each covered repair station—

12 “(A) all supervisory personnel are appro-
13 priately certificated as a mechanic or repairman
14 under part 65 of title 14, Code of Federal Reg-
15 ulations, or under an equivalent certification or
16 licensing regime, as determined by the Adminis-
17 trator; and

18 “(B) all personnel authorized to approve
19 an article for return to service are appropriately
20 certificated as a mechanic or repairman under
21 part 65 of such title, or under an equivalent
22 certification or licensing regime, as determined
23 by the Administrator.

24 “(2) AVAILABLE FOR CONSULTATION.—Not
25 later than 1 year after the date of enactment of this

1 subsection, the Administrator of the Federal Avia-
2 tion Administration shall require any individual who
3 is responsible for approving an article for return to
4 service or who is directly in charge of aircraft (in-
5 cluding on-wing aircraft engine) maintenance per-
6 formed on aircraft operated under part 121 of title
7 14, Code of Federal Regulations, be available for
8 consultation while work is being performed at a cov-
9 ered repair station.”.

10 (b) DEFINITION OF COVERED REPAIR STATION.—

11 (1) IN GENERAL.—Section 44733(i) of title 49,
12 United States Code (as redesignated by subsection
13 (a)(3)), is amended—

14 (A) by redesignating paragraphs (1)
15 through (3) as paragraphs (2) through (4), re-
16 spectively; and

17 (B) by inserting before paragraph (2), as
18 so redesignated, the following:

19 “(1) COVERED REPAIR STATION.—The term
20 ‘covered repair station’ means a facility that—

21 “(A) is located outside the United States;

22 “(B) is certificated under part 145 of title
23 14, Code of Federal Regulations; and

24 “(C) performs heavy maintenance work on
25 aircraft (including on-wing aircraft engines) op-

1 erated under part 121 of title 14, Code of Fed-
2 eral Regulations.”.

3 (2) TECHNICAL AMENDMENT.—Section
4 44733(a)(3) of title 49, United States Code, is
5 amended by striking “covered part 145 repair sta-
6 tions” and inserting “part 145 repair stations”.

7 (c) CLERICAL AMENDMENTS.—The analysis for
8 chapter 447 of title 49, United States Code, is amended
9 by striking the item relating to section 44733 and insert-
10 ing the following:

“44733. Oversight of repair stations located outside the United States.”.

11 **SEC. 312. ALCOHOL AND DRUG TESTING AND BACKGROUND**

12 **CHECKS.**

13 (a) IN GENERAL.—Subject to subsection (c), begin-
14 ning on the date that is 2 years after the date of enact-
15 ment of this section, the Administrator may not approve
16 or authorize international travel for any employee of the
17 FAA until a final rule carrying out the requirements of
18 subsection (b) of section 2112 of the FAA Extension,
19 Safety, and Security Act of 2016 (49 U.S.C. 44733 note)
20 has been published in the Federal Register.

21 (b) RULEMAKING ON ASSESSMENT REQUIREMENT.—
22 With respect to any employee not covered under the re-
23 quirements of section 1554.101 of title 49, Code of Fed-
24 eral Regulations, the Administrator shall initiate a rule-
25 making that requires a covered repair station to confirm

1 that any such employee has successfully completed an as-
2 sessment commensurate with a security threat assessment
3 described in subpart C of part 1540 of such title.

4 (c) EXCEPTIONS.—The prohibition in subsection (a)
5 shall not apply to international travel that is determined
6 by the Administrator on an individual-by-individual basis
7 to be—

8 (1) exclusively for the purpose of conducting a
9 safety inspection;

10 (2) directly related to aviation safety standards,
11 certification, and oversight; or

12 (3) vital to the national interests of the United
13 States.

14 (d) DEFINITION OF COVERED REPAIR STATION.—
15 For purposes of this section, the term “covered repair sta-
16 tion” means a facility that—

17 (1) is located outside the United States;

18 (2) is certificated under part 145 of title 14,
19 Code of Federal Regulations; and

20 (3) performs heavy maintenance work on air-
21 craft (including on-wing aircraft engines), operated
22 under part 121 of title 14, Code of Federal Regula-
23 tions.

1 **SEC. 313. CONTINUOUS AIRCRAFT TRACKING AND TRANS-**
2 **MISSION FOR HIGH ALTITUDE BALLOONS.**

3 (a) AVIATION RULEMAKING COMMITTEE.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of enactment of this section, the Ad-
6 ministrator shall establish an Aviation Rulemaking
7 Committee (in this section referred to as the “Com-
8 mittee”) to review and develop findings and rec-
9 ommendations regarding a standard that any high
10 altitude balloon be equipped with a system for con-
11 tinuous aircraft tracking that shall transmit, at a
12 minimum, the altitude, location, and identity of the
13 high altitude balloon in a manner which is accessible
14 to air traffic controllers, aircraft, and other users of
15 the National Airspace System.

16 (2) COMPOSITION.—The Committee shall con-
17 sist of members appointed by the Administrator, in-
18 cluding the following:

19 (A) Representatives of industry.

20 (B) Aviation safety experts with specific
21 knowledge of high altitude balloon operations.

22 (C) Representatives of the Department of
23 Defense.

24 (D) Representatives of Federal agencies
25 that conduct high altitude balloon operations.

1 (3) REPORT.—Not later than 18 months after
2 the date of enactment of this section, the Committee
3 shall submit to the Administrator a report detailing
4 the findings and recommendations of the Committee
5 described in paragraph (1). Such report shall include
6 recommendations regarding the following:

7 (A) How to update sections 91.215,
8 91.225, and 99.13 of title 14, Code of Federal
9 Regulations, to require any high altitude bal-
10 loons to have a continuous aircraft tracking and
11 transmission system.

12 (B) Any necessary updates to the require-
13 ments for unmanned free balloons under sub-
14 part D of part 101 of title 14, Code of Federal
15 Regulations.

16 (C) Any necessary updates to other FAA
17 regulations or requirements deemed appropriate
18 and necessary by the Administrator to—

19 (i) ensure any high altitude balloon
20 has a continuous aircraft tracking and
21 transmission system

22 (ii) ensure all data relating to the alti-
23 tude, location, and identity of any high al-
24 titude balloon is made available to air traf-

1 fic controllers, aircraft, and other users of
2 the National Airspace System; and
3 (iii) maintain airspace safety.

4 (b) RULEMAKING AND OTHER REQUIREMENTS.—

5 Not later than 180 days after the date on which the Com-
6 mittee submits the report under subsection (a)(3), the Ad-
7 ministrator shall—

8 (1) issue a notice of proposed rulemaking to re-
9 quire a continuous aircraft tracking and trans-
10 mission system for any high altitude balloon, in ac-
11 cordance with the recommendations of the Com-
12 mittee; and

13 (2) coordinate with foreign authorities (includ-
14 ing bilateral partners and the International Civil
15 Aviation Organization (ICAO)) to develop contin-
16 uous aircraft tracking and transmission system
17 standards for any high altitude balloon operating
18 outside of the National Airspace System.

19 (c) INTERIM STANDARD.—During the period begin-
20 ning on the date that is 2 years after the date of enact-
21 ment of this section and ending on the date on which the
22 Administrator issues a notice of proposed rulemaking
23 under subsection (b)(1), a person may only operate a high
24 altitude balloon if such balloon meets the requirements de-
25 scribed in section 91.215(b) of title 14, Code of Federal

1 Regulations, notwithstanding the exemption provided in
2 subsection (e)(1) of such section 91.215.

3 (d) REPORTS TO CONGRESS.—Not later than 6
4 months after the date of enactment of this section, and
5 every 6 months thereafter until the Administrator promul-
6 gates a final rule under subsection (b), the Administrator
7 shall submit to the appropriate committees of Congress
8 a report on the status of the rulemaking and other re-
9 quirements being developed under such subsection.

10 (e) DEFINITIONS.—In this section:

11 (1) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

14 (A) the Committee on Commerce, Science,
15 and Transportation of the Senate;

16 (B) the Committee on Appropriations of
17 the Senate;

18 (C) the Committee on Transportation and
19 Infrastructure of the House of Representatives;
20 and

21 (D) the Committee on Appropriations of
22 the House of Representatives.

23 (2) HIGH ALTITUDE BALLOON.—The term
24 “high altitude balloon” means a manned or un-

1 manned free balloon operating not less than 10,000
2 feet above sea level.

3 **SEC. 314. INTERNATIONAL ENGAGEMENT.**

4 (a) PLAN.—

5 (1) IN GENERAL.—The Administrator shall de-
6 velop and implement a plan to enhance United
7 States' leadership in aviation safety and policy.

8 (2) CONTENTS OF PLAN.—The plan required
9 under paragraph (1) shall include, at minimum, the
10 following:

11 (A) Measures to advance international co-
12 operation related to—

13 (i) approval of new safety-enhancing
14 technologies and aeronautical products;

15 (ii) development of regulatory policy
16 and plans related to advanced air mobility
17 concepts;

18 (iii) innovation in the general aviation
19 sector;

20 (iv) further integration of uncrewed
21 aircraft systems and advanced air mobility
22 aircraft and operators; and

23 (v) development of international
24 standards and best practices for enhancing

1 aviation safety consistent with United
2 States policy and objectives.

3 (B) Initiatives to attain greater expertise
4 among employees of the FAA on issues related
5 to dispute resolution, intellectual property, and
6 export control laws.

7 (C) Policy regarding the future direction
8 and strategy of United States engagement with
9 the International Civil Aviation Organization
10 and bilateral partner countries, including the
11 secondment of subject matter experts.

12 (D) Procedures for acceptance of manda-
13 tory continuing airworthiness information, such
14 as airworthiness directives and other safety-re-
15 lated regulatory documents, consistent with sec-
16 tion 44701(e)(5) of title 49, United States
17 Code.

18 (E) Measures to align the FAA's technical
19 assistance to foreign civil aviation regulators,
20 taking into account, among other factors, with
21 respect to each such foreign regulator, the par-
22 ticular aeronautical products for which the
23 United States is the State of Design in oper-
24 ation in the State of such regulator's jurisdic-
25 tion.

1 (F) Measures, such as funding and the hir-
2 ing of additional FAA personnel, necessary for
3 the FAA to fully participate in global and bilat-
4 eral activities related to aviation safety.

5 (G) Measures to facilitate and expand the
6 FAA's international programs, training, and
7 technical assistance to foreign civil aviation au-
8 thorities in order to—

9 (i) strengthen aviation safety over-
10 sight;

11 (ii) meet the United Nations Inter-
12 national Civil Aviation Organization stand-
13 ards; and

14 (iii) further United States policy and
15 objectives.

16 (H) Initiatives to further develop and es-
17 tablish the FAA's foreign offices in strategic re-
18 gions, particularly Africa and Asia-Pacific, in
19 order to support the FAA's international mis-
20 sion to promote a safe, secure, seamless, and
21 sustainable global aerospace system.

22 (b) PUBLIC AVAILABILITY OF PLAN.—Not later than
23 210 days after the date of enactment of this Act, the Ad-
24 ministrator shall make the plan developed under sub-
25 section (a) available on the internet website of the FAA.

1 (c) SUBMISSION TO CONGRESS.—

2 (1) PLAN.—Not later than 210 days after the
3 date of enactment of this Act, the Administrator
4 shall submit to the appropriate committees of Con-
5 gress a copy of the plan developed under subsection
6 (a).

7 (2) UPDATES ON IMPLEMENTATION.—Not later
8 than 1 year after the submission of the plan under
9 paragraph (1), and annually thereafter through
10 2028, the Administrator shall submit to the appro-
11 priate committees of Congress a report on the activi-
12 ties the FAA is conducting in order to implement
13 such plan.

14 (d) INTERNATIONAL TRAVEL.—The Administrator,
15 or the Administrator’s designee, may authorize inter-
16 national travel for any FAA employee, without the ap-
17 proval of any other person or office, for the purpose of—

18 (1) promotion of aviation safety and other rel-
19 evant aviation standards;

20 (2) providing support for expedited acceptance
21 of FAA design and production approvals by other
22 civil aviation authorities;

23 (3) facilitation of adoption of United States ap-
24 proaches on standards and recommended practices
25 at the International Civil Aviation Organization; or

1 (4) providing support for technical assistance
2 and training by the FAA.

3 **SEC. 315. AIR TOUR AND SPORT PARACHUTING SAFETY.**

4 (a) SAFETY MANAGEMENT SYSTEM REQUIREMENTS
5 FOR CERTAIN OPERATORS.—Not later than 24 months
6 after the date of enactment of this section, the Adminis-
7 trator shall issue a final rule requiring each person holding
8 a certificate under part 119 of title 14, Code of Federal
9 Regulations, and authorized to conduct operations in ac-
10 cordance with the provisions of part 135 of title 14, Code
11 of Federal Regulations, to implement a safety manage-
12 ment system, as appropriate for the operations.

13 (b) OTHER SAFETY REQUIREMENTS FOR COMMER-
14 CIAL OPERATORS.—

15 (1) SAFETY REFORMS.—

16 (A) AUTHORITY TO CONDUCT NONSTOP
17 COMMERCIAL AIR TOURS.—

18 (i) IN GENERAL.—Subject to clauses

19 (ii) and (iii), beginning on the date that is

20 3 years after the date of enactment of this

21 section, no person may conduct commercial

22 air tours unless that person—

23 (I) holds a certificate identifying

24 the person as an air carrier or com-

25 mercial operator under part 119 of

1 title 14, Code of Federal Regulations;
2 and

3 (II) conducts all commercial air
4 tours under the applicable provisions
5 of part 121 or part 135 of title 14,
6 Code of Federal Regulations.

7 (ii) SMALL BUSINESS EXCEPTION.—
8 The provisions of clause (i) shall not apply
9 to a person who conducts 50 or fewer com-
10 mercial air tours in a year.

11 (iii) TEMPORARY EXCEPTION.—Not-
12 withstanding the requirements of clause
13 (i), for a period of 5 years after the date
14 described in clause (i), a person who holds
15 a letter of authorization issued by the Ad-
16 ministrator to conduct nonstop commercial
17 air tours under section 91.147 of title 14,
18 Code of Federal Regulations, may continue
19 to conduct nonstop commercial air tours
20 under such letter of authorization so long
21 as the person—

22 (I) as of the date of enactment of
23 this section, has submitted (or not
24 later than 18 months after such date
25 of enactment, submits) an application

1 to the Administrator for an air carrier
2 certificate under part 119, Code of
3 Federal Regulations; and

4 (II) has not been issued such
5 part 119 certificate or received a de-
6 nial of the application submitted
7 under subclause (I).

8 (iv) REPORTING REQUIRED.—Begin-
9 ning on the date that is 3 years after the
10 date of enactment, and every 12 months
11 thereafter, each person that conducts com-
12 mercial air tours (including any person ex-
13 cluded from the certificate requirement
14 under clause (ii) or (iii)) shall report to the
15 Administrator the total number of com-
16 mercial air tours that person conducted
17 during the previous 12 months.

18 (v) OTHER TERMS.—The Adminis-
19 trator shall—

20 (I) revise title 14, Code of Fed-
21 eral Regulations, to include definitions
22 for the terms “aerial work” and “aer-
23 ial photography” that are limited to
24 aerial operations performed for com-

1 pensation or hire with an approved
2 operating certificate; and

3 (II) to the extent necessary, re-
4 vise section 119.1(e)(4)(iii) of title 14,
5 Code of Federal Regulations, to con-
6 form with the requirements of such
7 definitions.

8 (B) ADDITIONAL SAFETY REQUIRE-
9 MENTS.—Not later than 3 years after the date
10 of enactment of this section, the Administrator
11 shall issue new or revised regulations that shall
12 require all certificated commercial air tour oper-
13 ators to ensure that the doors of the airplane
14 or helicopter used for such tour remain closed
15 during the period of the tour in which the air-
16 plane or helicopter is airborne, except for those
17 conducting parachute operations, and incor-
18 porate avoidance training for controlled flight
19 into terrain and in-flight loss of control into the
20 training program required under part 121 or
21 135 of title 14, Code of Federal Regulations, as
22 applicable. The training shall address reducing
23 the risk of accidents involving unintentional
24 flight into instrument meteorological conditions
25 to address day, night, and low visibility environ-

1 ments with special attention paid to research
2 available as of the date of enactment of this
3 section on human factors issues involved in
4 such accidents, including but not limited to—

5 (i) specific terrain, weather, and infra-
6 structure challenges relevant in the local
7 operating environment that increase the
8 risk of such accidents;

9 (ii) pilot decision-making relevant to
10 the avoidance of instrument meteorological
11 conditions while operating under visual
12 flight rules;

13 (iii) use of terrain awareness displays;

14 (iv) spatial disorientation risk factors
15 and countermeasures; and

16 (v) strategies for maintaining control,
17 including the use of automated systems.

18 (2) AVIATION RULEMAKING COMMITTEE.—

19 (A) IN GENERAL.—The Administrator,
20 shall convene an aviation rulemaking committee
21 to review and develop findings and rec-
22 ommendations to inform—

23 (i) establishing a performance-based
24 standard for flight data monitoring for all
25 commercial air tour operators that reviews

1 all available data sources to identify devi-
2 ations from established areas of operation
3 and potential safety issues;

4 (ii) requiring all commercial air tour
5 operators to install flight data recording
6 devices capable of supporting collection
7 and dissemination of the data incorporated
8 in the Flight Operational Quality Assur-
9 ance Program (or, if an aircraft cannot be
10 retrofitted with such equipment, requiring
11 the commercial air tour operator for such
12 aircraft to collect and maintain flight data
13 through alternative methods);

14 (iii) requiring all commercial air tour
15 operators to implement a flight data moni-
16 toring program, such as a Flight Oper-
17 ational Quality Assurance Program;

18 (iv) establishing methods to provide
19 effective terrain awareness and warning;
20 and

21 (v) establishing methods to provide ef-
22 fective traffic avoidance in identified high-
23 traffic tour areas, such as requiring air
24 tour operators that operate within those
25 areas be equipped with an Automatic De-

1 pendent Surveillance-Broadcast Out- and
2 In-supported traffic advisory system that—

3 (I) includes both visual and aural
4 alerts;

5 (II) is driven by an algorithm de-
6 signed to eliminate nuisance alerts;
7 and

8 (III) is operational during all
9 flight operations.

10 (B) MEMBERSHIP.—The aviation rule-
11 making committee shall consist of members ap-
12 pointed by the Administrator, including—

13 (i) representatives of industry, includ-
14 ing manufacturers of aircraft and aircraft
15 technologies;

16 (ii) representatives of aviation oper-
17 ator organizations; and

18 (iii) aviation safety experts with spe-
19 cific knowledge of safety management sys-
20 tems and flight data monitoring programs
21 under part 135 of title 14, Code of Federal
22 Regulations.

23 (C) DUTIES.—

24 (i) IN GENERAL.—The Administrator
25 shall direct the aviation rulemaking com-

1 mittee to make findings and submit rec-
2 ommendations regarding each of the mat-
3 ters specified in clauses (i) through (v) of
4 subparagraph (A).

5 (ii) CONSIDERATIONS.—In carrying
6 out its duties under clause (i), the Admin-
7 istrator shall direct the aviation rule-
8 making committee to consider—

9 (I) recommendations of the Na-
10 tional Transportation Safety Board;

11 (II) recommendations of previous
12 aviation rulemaking committees that
13 reviewed flight data monitoring pro-
14 gram requirements on part 135 com-
15 mercial operators;

16 (III) recommendations from in-
17 dustry safety organizations, including
18 but not limited to the Vertical Avia-
19 tion Safety Team (VAST), the Gen-
20 eral Aviation Joint Safety Committee,
21 and the United States Helicopter
22 Safety Team (USHST);

23 (IV) scientific data derived from
24 a broad range of flight data recording
25 technologies capable of continuously

1 transmitting and that support a meas-
2 urable and viable means of assessing
3 data to identify and correct hazardous
4 trends;

5 (V) appropriate use of data for
6 modifying behavior to prevent acci-
7 dents;

8 (VI) the need to accommodate
9 technological advancements in flight
10 data recording technology;

11 (VII) data gathered from avia-
12 tion safety reporting programs;

13 (VIII) appropriate methods to
14 provide effective terrain awareness
15 and warning system (TAWS) protec-
16 tions while mitigating nuisance alerts
17 for aircraft;

18 (IX) the need to accommodate
19 the diversity of airworthiness stand-
20 ards under part 27 and part 29 of
21 title 14, Code of Federal Regulations;

22 (X) the need to accommodate di-
23 versity of operations and mission sets;

1 (XI) benefits of third-party data
2 analysis for large and small oper-
3 ations;

4 (XII) accommodations necessary
5 for small businesses; and

6 (XIII) other issues as necessary.

7 (D) REPORTS AND REGULATIONS.—The
8 Administrator shall—

9 (i) not later than 20 months after the
10 date of enactment of this section, submit
11 to the appropriate committees of Congress
12 a report based on the findings of the avia-
13 tion rulemaking committee;

14 (ii) not later than 12 months after the
15 date of submission of the report under
16 clause (i), and after consideration of the
17 recommendations of the aviation rule-
18 making committee, issue an intent to pro-
19 ceed with proposed rulemakings regarding
20 each of the matters specified in clauses (i)
21 through (v) of subparagraph (A); and

22 (iii) not later than 3 years after the
23 date of enactment of this section, issue a
24 final rule with respect to each of the mat-

1 ters specified in such clauses of subpara-
2 graph (A).

3 (c) EXPEDITED PROCESS FOR OBTAINING OPER-
4 ATING CERTIFICATES.—

5 (1) IN GENERAL.—The Administrator shall im-
6 plement procedures to improve the process for ob-
7 taining operating certificates under part 119 of title
8 14, Code of Federal Regulations.

9 (2) CONSIDERATIONS.—In carrying out para-
10 graph (1), beginning on the date that is 18 months
11 after the date of enactment of this section, the Ad-
12 ministrator shall give priority consideration to opera-
13 tors that must obtain a certificate in accordance
14 with subsection (b)(1)(A).

15 (3) REPORT REQUIRED.—Not later than 1 year
16 after the date of enactment of this section, the Ad-
17 ministrator shall submit to the appropriate commit-
18 tees of Congress a report describing—

19 (A) how the procedures implemented under
20 paragraph (1) will increase the efficiency of the
21 process for obtaining operating certificates
22 under part 119 of title 14, Code of Federal
23 Regulations, and, if applicable, certificates au-
24 thorizing operations under part 135 of such
25 title;

1 (B) how considerations under paragraph
2 (2) will be incorporated into procedures imple-
3 mented under paragraph (1); and

4 (C) any additional resources required to
5 implement procedures under paragraph (1).

6 (4) ADDITIONAL REPORTS REQUIRED.—Not
7 later than 3 years after the date of enactment of
8 this section, and annually thereafter the Adminis-
9 trator shall submit a report to the appropriate com-
10 mittees of Congress that—

11 (A) includes—

12 (i) data on certification approvals and
13 denials; and

14 (ii) data on duration of key phases of
15 the certification process; and

16 (B) identifies certification policies in need
17 of reform or repeal.

18 (d) SAFETY REQUIREMENTS FOR SPORT PARACHUTE
19 OPERATIONS.—

20 (1) AVIATION RULEMAKING COMMITTEE.—The
21 Administrator, shall convene an aviation rulemaking
22 committee to review and develop findings and rec-
23 ommendations to inform—

24 (A) rulemaking governing parachute oper-
25 ations conducted in the United States that are

1 subject to the requirements of part 105 of title
2 14, Code of Federal Regulations, to address—

3 (i) Federal Aviation Administration-
4 approved aircraft maintenance and inspec-
5 tion programs that consider, at a min-
6 imum, requirements for compliance with
7 engine manufacturers' recommended main-
8 tenance instructions, such as service bul-
9 letins and service information letters for
10 time between overhauls and component life
11 limits;

12 (ii) initial and annual recurrent pilot
13 proficiency checking programs for pilots
14 conducting parachute operations that ad-
15 dress, at a minimum, operation- and air-
16 craft-specific weight and balance calcula-
17 tions, preflight inspections, emergency and
18 recovery procedures, and parachutist
19 egress procedures for each type of aircraft
20 flown; and

21 (iii) initial and annual recurrent pilot
22 review programs for parachute operations
23 pilots that address, at a minimum, oper-
24 ation-specific and aircraft-specific weight
25 and balance calculations, preflight inspec-

1 tions, emergency and recovery procedures,
2 and parachutist egress procedures for each
3 type of aircraft flown, as well as com-
4 petency flight checks to determine pilot
5 competence in practical skills and tech-
6 niques in each type of aircraft;

7 (B) the revision of guidance material con-
8 tained in Advisory Circular 105–2E (relating to
9 sport parachute jumping), to include guidance
10 for parachute operations in implementing the
11 Federal Aviation Administration-approved air-
12 craft maintenance and inspection program and
13 the pilot training and pilot proficiency checking
14 programs required under any new or revised
15 regulations issued in accordance with paragraph
16 (1); and

17 (C) the revision of guidance materials
18 issued in Order 8900.1 entitled “Flight Stand-
19 ards Information Management System”, to in-
20 clude guidance for Federal Aviation Adminis-
21 tration inspectors who oversee part 91 of title
22 14 Code of Federal Regulations, operations con-
23 ducted under any of the exceptions specified in
24 section 119.1(e) of title 14, Code of Federal

1 Regulations, which include parachute oper-
2 ations.

3 (2) MEMBERSHIP.—The aviation rulemaking
4 committee under paragraph (1) shall consist of
5 members appointed by the Administrator, includ-
6 ing—

7 (A) representatives of industry, including
8 manufacturers of aircraft and aircraft tech-
9 nologies;

10 (B) representatives of parachute operator
11 organizations; and

12 (C) aviation safety experts with specific
13 knowledge of safety management systems and
14 flight data monitoring programs under part 135
15 and part 105 of title 14, Code of Federal Regu-
16 lations.

17 (3) DUTIES.—

18 (A) IN GENERAL.—The Administrator
19 shall direct the aviation rulemaking committee
20 to make findings and submit recommendations
21 regarding each of the matters specified in sub-
22 paragraphs (A) through (C) of paragraph (1).

23 (B) CONSIDERATIONS.—In carrying out its
24 duties under subparagraph (A), the Adminis-

1 trator shall direct the aviation rulemaking com-
2 mittee to consider—

3 (i) findings and recommendations of
4 the National Transportation Safety Board
5 generally as relevant and specifically those
6 related to parachute operations, including
7 the June 21, 2019, incident in Mokuleia,
8 Hawaii;

9 (ii) recommendations of previous avia-
10 tion rulemaking committees that consid-
11 ered similar issues;

12 (iii) recommendations from industry
13 safety organizations, including, but not
14 limited to, the United States Parachute
15 Association;

16 (iv) appropriate use of data for modi-
17 fying behavior to prevent accidents;

18 (v) data gathered from aviation safety
19 reporting programs;

20 (vi) the need to accommodate diversity
21 of operations and mission sets;

22 (vii) accommodations necessary for
23 small businesses; and

24 (viii) other issues as necessary.

1 (4) REPORTS AND REGULATIONS.—The Admin-
2 istrator shall—

3 (A) not later than 20 months after the
4 date of enactment of this section, submit to the
5 appropriate committees of Congress a report
6 based on the findings of the aviation rule-
7 making committee;

8 (B) not later than 12 months after the
9 date of submission of the report under subpara-
10 graph (A), and after consideration of the rec-
11 ommendations of the aviation rulemaking com-
12 mittee, issue, as necessary, an intent to proceed
13 with proposed rulemakings regarding each of
14 the matters specified in subparagraphs (A)
15 through (C) of paragraph (1); and

16 (C) not later than 3 years after the date
17 of enactment of this section, issue, as nec-
18 essary, a final rule with respect to each of the
19 matters specified in such subparagraphs of
20 paragraph (1).

21 (e) DEFINITIONS.—In this section:

22 (1) AIR CARRIER.—The term “air carrier” has
23 the meaning given that term in section 40102 of
24 title 49, United States Code.

1 (2) COMMERCIAL AIR TOUR.—The term “com-
2 mercial air tour” means a flight conducted for com-
3 pensation or hire in an airplane or helicopter where
4 a purpose of the flight is sightseeing.

5 (3) COMMERCIAL AIR TOUR OPERATOR.—The
6 term “commercial air tour operator” means any per-
7 son who conducts a commercial air tour.

8 (4) PARACHUTE OPERATION.—The term “para-
9 chute operation” has the meaning given that term in
10 section 105.3 of title 14, Code of Federal Regula-
11 tions (or any successor regulation).

12 **SEC. 316. INTERNATIONAL AVIATION SAFETY ASSESSMENT**
13 **PROGRAM.**

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

16 “(g) AVIATION SAFETY OVERSIGHT MEASURES CAR-
17 RIED OUT BY FOREIGN COUNTRIES.—

18 “(1) ASSESSMENT.—

19 “(A) IN GENERAL.—At intervals the Ad-
20 ministrators considers necessary in the interests
21 of safety, the Administrator, in consultation
22 with the Secretary of Transportation and the
23 Secretary of State, shall assess the effectiveness
24 of the aviation safety oversight measures car-
25 ried out by a foreign country—

1 “(i) from which a foreign air carrier
2 serves the United States;

3 “(ii) from which a foreign air carrier
4 seeks to serve the United States;

5 “(iii) whose air carriers code-share
6 with a United States air carrier; or

7 “(iv) as the Administrator considers
8 appropriate.

9 “(B) REQUIREMENTS.—In conducting an
10 assessment under subparagraph (A), the Ad-
11 ministrator shall—

12 “(i) consult with the appropriate au-
13 thorities of the government of the foreign
14 country concerned;

15 “(ii) determine the extent to which
16 such country effectively maintains and car-
17 ries out its aviation safety oversight meas-
18 ures pursuant to the Convention on Inter-
19 national Civil Aviation (in this section re-
20 ferred to as the ‘Chicago Convention’); and

21 “(iii) use a standard that will result in
22 an analysis of the aviation safety oversight
23 measures carried out by such country
24 based on the minimum standards con-
25 tained in Annexes 1, 6, and 8 to the Chi-

1 cago Convention in effect on the date of
2 the assessment.

3 “(C) NON-COMPLIANCE FINDINGS.—

4 “(i) IN GENERAL.—When the assess-
5 ment required by this subsection identifies
6 areas of non-compliance to the safety over-
7 sight measures in the Chicago Convention,
8 the Administrator shall conduct final dis-
9 cussions with the foreign country within 90
10 days of the assessment to determine
11 whether the non-compliance findings have
12 been corrected and the foreign country is
13 now in compliance with the applicable
14 international standards for effective avia-
15 tion safety oversight.

16 “(ii) CORRECTION.—If the Adminis-
17 trator determines that the foreign country
18 has corrected identified area of non-compli-
19 ance by the close of final discussions, the
20 Federal Aviation Administration will issue
21 or continue to issue operations specifica-
22 tions to the foreign operator to enable the
23 United States air service or to the United
24 States operator if the foreign operator is to
25 carry its airline code.

1 “(iii) NON-CORRECTION.—If the Ad-
2 ministrators determine that the foreign
3 country has not corrected identified
4 area of non-compliance by the close of final
5 discussions—

6 “(I) immediate notification will
7 be made to the Secretary of Transpor-
8 tation and the Secretary of State, that
9 a condition exists that threatens the
10 safety of passengers, aircraft, or crew
11 traveling to or from the foreign coun-
12 try; and

13 “(II) notwithstanding section
14 40105(b), the Administrator, after
15 consulting with the appropriate civil
16 aviation authority of the foreign coun-
17 try concerned and notification to the
18 Secretary of Transportation and the
19 Secretary of State, may withhold, re-
20 voke, or prescribe conditions on the
21 operating authority of a foreign air
22 carrier that provides foreign air trans-
23 portation.

24 “(D) AUTHORITY.—Notwithstanding sub-
25 paragraphs (B) and (C), the Administrator re-

1 tains the ability to initiate immediate safety
2 oversight action when justified based on avail-
3 able safety information.

4 “(2) NOTIFICATION.—At the conclusion of the
5 international aviation safety assessment process, the
6 Administrator, after advising the Secretary of
7 Transportation and the Secretary of State, shall in-
8 form the foreign country of the determination re-
9 garding its compliance to ICAO standards. The de-
10 termination shall—

11 “(A) for foreign countries determined to be
12 compliant in ICAO standards, state that no fur-
13 ther action is needed; and

14 “(B) for foreign countries determined to be
15 non-compliant in ICAO standards, recommend
16 the actions necessary to bring the aviation safe-
17 ty oversight measures carried out by that coun-
18 try into compliance with the international
19 standards contained in the Chicago Convention,
20 as used by the Federal Aviation Administration
21 in making the assessment.

22 “(3) FAILURE TO MAINTAIN AND CARRY OUT
23 STANDARDS.—

24 “(A) IN GENERAL.—Subject to subpara-
25 graph (B), if the Administrator determines that

1 a foreign country does not maintain and carry
2 out effective aviation safety oversight measures,
3 the Administrator shall—

4 “(i) notify the appropriate authorities
5 of the government of the foreign country
6 consistent with paragraph (2);

7 “(ii) publish the identity of the for-
8 eign country on the Federal Aviation Ad-
9 ministration website, in the Federal Reg-
10 ister, and through other mediums to pro-
11 vide notice to the public;

12 “(iii) transmit the identity of the for-
13 eign country to the Secretary of State to
14 inform the relevant travel advisories; and

15 “(iv) provide the identity of the for-
16 eign country and any critical safety infor-
17 mation resulting from the assessment to
18 the Committee on Commerce, Science, and
19 Transportation of the Senate and the
20 Committee on Transportation and Infra-
21 structure of the House of Representatives.

22 “(B) IMMEDIATE EXERCISE OF AUTHOR-
23 ITY.—

24 “(i) IN GENERAL.—The Adminis-
25 trator may immediately exercise authority

1 under subparagraph (A) if the Adminis-
2 trator, in consultation with the Secretary
3 of Transportation and the Secretary of
4 State, determines that a condition exists
5 that threatens the safety of passengers,
6 aircraft, or crew traveling to or from the
7 foreign country.

8 “(ii) NOTIFICATION TO THE SEC-
9 RETARY OF STATE.—The Administrator
10 shall immediately notify the Secretary of
11 State of a determination under clause (i)
12 so that the Secretary of State may issue a
13 travel advisory with respect to the foreign
14 country.

15 “(4) ACCURACY OF THE IASA LIST.—To meet
16 the need for the public to have timely and accurate
17 information about the aviation safety oversight of
18 foreign countries, the Administrator shall regularly
19 review the activity of foreign air carriers serving the
20 United States and carrying the code of a United
21 States air carrier. Countries with no such operations
22 for an extended period of time, as determined by the
23 Administrator, will be removed from the public list-
24 ings for inactivity, after advisement with the Sec-
25 retary of Transportation and the Secretary of State.

1 “(5) TRAINING.—The Federal Aviation Admin-
2 istration shall use data, tools, and methods in order
3 to ensure transparency and repeatable results of the
4 assessments conducted under this subsection. The
5 Federal Aviation Administration shall ensure that
6 Federal Aviation Administration personnel are prop-
7 erly and adequately trained to carry out the assess-
8 ments set forth in this subsection, including with re-
9 spect to ICAO standards and their implementation
10 by foreign countries.

11 “(6) REPORT TO CONGRESS.—Not later than 1
12 year after the date of enactment of this subsection,
13 and annually thereafter, the Administrator shall sub-
14 mit to the Committee on Commerce, Science, and
15 Transportation of the Senate and the Committee on
16 Transportation and Infrastructure of the House of
17 Representatives a report on the assessments con-
18 ducted under this subsection, including the results of
19 any corrective action period.”.

20 **SEC. 317. CHANGED PRODUCT RULE REFORM.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of enactment of this section, the Administrator shall
23 issue a notice of proposed rulemaking to revise section
24 21.101 of title 14, Code of Federal Regulations, to achieve
25 the following objectives:

1 (1) For any significant design change, as deter-
2 mined by the Administrator, to require that any ex-
3 ception from the requirement to comply with the lat-
4 est amendments of the applicable airworthiness
5 standards in effect on the date of application for the
6 change be approved only after providing public no-
7 tice and opportunity to comment on such exception.

8 (2) To ensure appropriate documentation of
9 any exception or exemption from airworthiness re-
10 quirements codified in title 14, Code of Federal Reg-
11 ulations, as in effect on the date of application for
12 the change.

13 (b) CONGRESSIONAL BRIEFING.—Not later than 1
14 year after the date of enactment of this section, the Ad-
15 ministrator shall provide to the appropriate committees of
16 Congress a briefing on the FAA’s implementation of the
17 recommendations of the Changed Product Rule Inter-
18 national Authorities Working Group, established under
19 Section 117 of the Aircraft Certification, Safety, and Ac-
20 countability Act (49 U.S.C. 44704 note), including rec-
21 ommendations on harmonized changes and reforms re-
22 garding the impractical exception.

23 **SEC. 318. DEVELOPMENT OF LOW-COST VOLUNTARY ADS-B.**

24 (a) IN GENERAL.—Not later than 24 months after
25 the date of enactment of this section, the Administrator,

1 working with representatives from industry groups, includ-
2 ing pilots, aircraft owners, avionics manufacturers, and
3 any others deemed necessary to offer technical expertise,
4 shall develop a report regarding the development of a suit-
5 able position reporting system for voluntary use in air-
6 space not mandated for Automatic Dependent Surveil-
7 lance-Broadcast Out equipment and use (in this section
8 referred to as “ADS-B Out”) by section 91.225 of title
9 14, Code of Federal Regulations, to facilitate traffic
10 awareness.

11 (b) REQUIREMENTS.—The report developed under
12 subsection (a) shall—

13 (1) research and catalog equipment, standards,
14 and systems (including international) relating to
15 ADS-B Out available as of the date on which the re-
16 port is submitted under subsection (c);

17 (2) address strengths and weaknesses of the
18 such equipment, standards and systems, including
19 with respect to costs;

20 (3) outline potential regulatory and procedural
21 changes that may need to be undertaken by the
22 FAA and other government entities, as well as
23 equipment, standards, and systems that may need to
24 be developed and required, to enable the develop-
25 ment and voluntary use of equipment (existing or

1 new) that enables the use of portable, and installed,
2 low cost position reporting in airspace not mandated
3 for ADS-B Out;

4 (4) determine market size, development costs,
5 and barriers that may need to be overcome for the
6 development of technology that enables the use of
7 portable, and installed, low cost position reporting in
8 airspace not mandated for ADS-B Out; and

9 (5) include a communication strategy that is
10 targeted towards potential users and promotes the
11 benefits of the position reporting solutions to en-
12 hance traffic awareness for voluntary use in airspace
13 not mandated for ADS-B Out, when such technology
14 is available for commercial use.

15 (c) REPORT TO CONGRESS.—Not later than 30 day
16 after the date on which the report developed under sub-
17 section (a) is finalized, the Administrator shall submit the
18 report to the appropriate committees of Congress.

19 **SEC. 319. PUBLIC AIRCRAFT FLIGHT TIME LOGGING ELIGI-**
20 **BILITY.**

21 (a) FORESTRY AND FIRE PROTECTION FLIGHT TIME
22 LOGGING.—

23 (1) IN GENERAL.—Notwithstanding any other
24 provision of law, aircraft under the direct oper-
25 ational control of forestry and fire protection agen-

1 cies are eligible to log pilot flight times, if the flight
2 time was acquired by the pilot while engaged on an
3 official forestry or fire protection flight, in the same
4 manner as aircraft under the direct operational con-
5 trol of a Federal, State, county, or municipal law en-
6 forcement agency.

7 (2) **RETROACTIVE APPLICATION.**—Paragraph
8 (1) shall be applied as if enacted on October 8,
9 2018.

10 (b) **REGULATIONS.**—Not later than 180 days after
11 the date of enactment of this section, the Administrator
12 shall make such regulatory changes as are necessary as
13 a result of the enactment of subsection (a).

14 **SEC. 320. SAFETY MANAGEMENT SYSTEMS.**

15 (a) **FINDING.**—Congress finds that on January 11,
16 2023, the FAA released a notice of proposed rulemaking
17 to update and expand the requirements for safety manage-
18 ment systems.

19 (b) As the FAA reviews comments to the notice of
20 proposed rulemaking described in subsection (a) and
21 drafts the final rule, the Administrator shall ensure that
22 safety management systems program requirements can be
23 appropriately scaled to the size and complexity of each op-
24 erator.

1 **SEC. 321. AVIATION SAFETY INFORMATION ANALYSIS AND**
2 **SHARING PROGRAM.**

3 Not later than 180 days after the date of enactment
4 of this section, the Administrator shall submit to the ap-
5 propriate committees of Congress, a report on the FAA's
6 progress with respect to the Aviation Safety Information
7 Analysis and Sharing (ASIAS) program that—

8 (1) describes the phased approach the FAA is
9 following to construct the ASIAS system;

10 (2) describes the efforts of the FAA to secure
11 increased safety data from—

12 (A) commercial air carriers;

13 (B) general aviation operators;

14 (C) helicopter operators;

15 (D) unmanned aircraft system operators;

16 and

17 (E) other aircraft operators; and

18 (3) provides a summary of the efforts of the
19 FAA to address gaps in safety data provided from
20 any of the classes of operators described in para-
21 graph (2).

22 **SEC. 322. CONSISTENT AND TIMELY PILOT CHECKS FOR**
23 **AIR CARRIERS.**

24 (a) ESTABLISHMENT OF WORKING GROUP.—Not
25 later than 180 days after the date of enactment of this
26 section, subject to subsection (b)(2), the Administrator

1 shall establish a working group for purposes of reviewing,
2 evaluating, and making recommendations on check pilot
3 functions for air carriers operating under part 135 of title
4 14, Code of Federal Regulations.

5 (b) MEMBERSHIP.—

6 (1) IN GENERAL.—The working group required
7 by this section shall include—

8 (A) employees of the FAA who serve as
9 check pilots (as described in section 91.1089 of
10 title 14, Code of Federal Regulations);

11 (B) representatives of air carriers oper-
12 ating under such part 135; and

13 (C) industry associations representing such
14 air carriers.

15 (2) EXISTING WORKING GROUP.—The Adminis-
16 trator may assign the duties of the working group
17 described in subsection (c) to an existing FAA work-
18 ing group if—

19 (A) the membership of the existing work-
20 ing group includes the members required under
21 paragraph (1); or

22 (B) the members required under para-
23 graph (1) are added to the membership of the
24 existing working group.

1 (c) DUTIES.—The working group shall review, evalu-
2 ate, and make recommendations on the following:

3 (1) Methods for approving check pilots for air
4 carriers operating under such part 135.

5 (2) Actions required to ensure such air carriers
6 are authorized an adequate number of check pilots
7 to enable timely occurrence of pilot checks.

8 (3) Differences in qualification standards ap-
9 plied to—

10 (A) employees of the FAA who serve as
11 check pilots; and

12 (B) check pilots of an authorized air car-
13 rier.

14 (4) Methods to standardize the qualification
15 standards for check pilots, including check pilots
16 who are employees of the FAA and or of an author-
17 ized air carrier.

18 (5) Methods to improve the training and quali-
19 fication of check pilots.

20 (6) Prior recommendations made by FAA advi-
21 sory committees or working groups regarding check
22 pilot functions.

23 (7) Petitions for rulemaking submitted to the
24 FAA regarding check pilot functions.

1 (d) BRIEFING TO CONGRESS.—Not later than 1 year
2 after than the date on which the Administrator establishes
3 the working group under subsection (a) (or tasks an exist-
4 ing FAA working group under subsection (b)(2) with the
5 duties described in subsection (c)), the Administrator shall
6 brief the appropriate committees of Congress on the
7 progress and recommendations of the working group, as
8 well as the Administrator’s efforts to implement such rec-
9 ommendations.

10 **SEC. 323. ENHANCING PROCESSES FOR AUTHORIZING AIR-**
11 **CRAFT FOR SERVICE IN COMMUTER AND ON**
12 **DEMAND OPERATIONS.**

13 (a) ESTABLISHMENT OF WORKING GROUP.—Not
14 later than 180 days after the date of enactment of this
15 section, the Administrator shall establish a Part 135 Air-
16 craft Conformity Working Group (in this section referred
17 to as the “Working Group”). The Working Group shall
18 study methods and make recommendations to clarify re-
19 quirements and standardize the process for conducting
20 and completing aircraft conformity processes for existing
21 part 135 air carriers and operators in a timely manner
22 and entering those aircraft into service.

23 (b) MEMBERSHIP.—The Working Group shall be
24 comprised of representatives of the FAA, existing part 135

1 air carriers and operators, and associations or trade
2 groups representing such class of air carriers or operators.

3 (c) DUTIES.—The Working Group shall consider all
4 aspects of the current FAA processes for ensuring aircraft
5 conformity and make recommendations to enhance those
6 processes, including with respect to—

7 (1) methodologies for air carriers and operators
8 to document and attest to aircraft conformity in ac-
9 cordance with the requirements of part 135;

10 (2) streamlined protocols for part 135 operators
11 to add an aircraft that was listed on another part
12 135 certificate immediately prior to moving to the
13 new air carrier; and

14 (3) changes to FAA policy and documentation
15 necessary to implement the recommendations of the
16 Working Group.

17 (d) CONGRESSIONAL BRIEFING.—Not later than 1
18 year after the date on which the Administrator establishes
19 the Working Group, the Administrator shall brief the ap-
20 propriate committees of Congress on the progress made
21 by the Working Group in carrying out the duties specified
22 in subsection (c), recommendations of the Working Group,
23 and the Administrator's efforts to implement such rec-
24 ommendations.

1 (e) DEFINITION OF PART 135.—In this section the
2 term “part 135” means part 135 of title 14, Code of Fed-
3 eral Regulations.

4 **SEC. 324. TOWER MARKING COMPLIANCE.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this section, the Administrator shall
7 provide a briefing to the appropriate committees of Con-
8 gress on implementation of the requirements of section
9 2110 of the FAA Extension, Safety, and Security Act of
10 2016 (49 U.S.C. 44718 note) (as amended by section 576
11 of the FAA Reauthorization Act of 2018 (Public Law
12 115–254, 132 Stat. 3391)).

13 (b) REQUIREMENTS.—The briefing required by sub-
14 section (a) shall include the following:

15 (1) A description of, and timeframe for, the Ad-
16 ministrator’s development of requirements to file no-
17 tice of construction of meteorological evaluation tow-
18 ers and other renewable energy projects under the
19 notice of proposed rulemaking RIN 2120-AK77.

20 (2) A description of the FAA’s use of existing
21 publicly accessible databases to collect and make
22 available information about certain structures that
23 are required to, or voluntarily, file notice with the
24 FAA.

1 (3) For the period beginning on July 15, 2016,
2 and ending on the date the briefing required by sub-
3 section (a) is provided, a list of aircraft accidents
4 during such period that are associated with covered
5 towers (as such term is defined in section
6 2110(b)(1)(A) of the FAA Extension, Safety, and
7 Security Act of 2016 (49 U.S.C. 44718 note) that
8 are not marked in accordance with applicable guid-
9 ance in the advisory circular of the FAA issued De-
10 cember 4, 2015 (AC 70/7460-IL).

11 **SEC. 325. ADMINISTRATIVE AUTHORITY FOR CIVIL PEN-**
12 **ALTIES.**

13 Section 46301(d) of title 49, United States Code, is
14 amended—

15 (1) in paragraph (4), by striking subparagraph
16 (A) and inserting the following:

17 “(A) the amount in controversy is more
18 than—

19 “(i) \$400,000 if the violation was
20 committed by any person other than an in-
21 dividual or small business concern before
22 the date of enactment of the FAA Reau-
23 thorization Act of 2023;

24 “(ii) \$50,000 if the violation was com-
25 mitted by an individual or small business

1 concern before the date of enactment of
2 the FAA Reauthorization Act of 2023;

3 “(iii) \$10,000,000 if the violation was
4 committed by a person other than an indi-
5 vidual or small business concern on or
6 after the date of enactment of the FAA
7 Reauthorization Act of 2023;

8 “(iv) \$250,000 if the violation was
9 committed by an individual on or after the
10 date of enactment of the FAA Reauthor-
11 ization Act of 2023; or

12 “(v) \$2,500,000 if the violation was
13 committed by a small business concern on
14 or after the date of enactment of the FAA
15 Reauthorization Act of 2023;”;

16 (2) by striking paragraph (8) and inserting the
17 following:

18 “(8) The maximum civil penalty the Adminis-
19 trator of the Transportation Security Administra-
20 tion, Administrator of the Federal Aviation Adminis-
21 tration, or Board may impose under this subsection
22 is—

23 “(A) \$400,000 if the violation was com-
24 mitted by a person other than an individual or

1 small business concern before the date of enact-
2 ment of the FAA Reauthorization Act of 2023;

3 “(B) \$50,000 if the violation was com-
4 mitted by an individual or small business con-
5 cern before the date of enactment of the FAA
6 Reauthorization Act of 2023;

7 “(C) \$10,000,000 if the violation was com-
8 mitted by a person other than an individual or
9 small business concern on or after the date of
10 enactment of the FAA Reauthorization Act of
11 2023;

12 “(D) \$250,000 if the violation was com-
13 mitted by an individual on or after the date of
14 enactment of the FAA Reauthorization Act of
15 2023; or

16 “(E) \$2,500,000 if the violation was com-
17 mitted by a small business concern on or after
18 the date of enactment of the FAA Reauthoriza-
19 tion Act of 2023.”; and

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

21 “(10) The maximum amounts authorized in
22 clauses (iii) through (v) of paragraph (4)(A) and in
23 subparagraphs (C) through (E) of paragraph (8) of
24 this subsection shall be adjusted for inflation no less
25 frequently than every 5 years.”.

1 **SEC. 326. CIVIL PENALTIES FOR WHISTLEBLOWER PROTEC-**
2 **TION PROGRAM VIOLATIONS.**

3 Section 46301(d)(2) of title 49, United States Code,
4 is amended by inserting “subchapter III of chapter 421,”
5 before “chapter 441”.

6 **SEC. 327. FLIGHT SERVICE STATIONS.**

7 (a) REPEAL.—Section 44514 of title 49, United
8 States Code, and the item relating to that section in the
9 analysis for chapter 445 of such title 49 are repealed.

10 (b) CONFORMING AMENDMENT.—Section
11 106(g)(1)(D) of title 49, United States Code, is amended
12 by striking “44514,”.

13 **SEC. 328. TECHNICAL ASSISTANCE AGREEMENTS.**

14 Section 40104(b) of title 49, United States Code, is
15 amended by adding at the end the following new para-
16 graphs:

17 “(3) STATE-TO-STATE AGREEMENTS.—The Ad-
18 ministrator shall promote efficient delivery of bilat-
19 eral and multilateral engagement and technical as-
20 sistance by waiving the requirement for State-to-
21 State agreements for the provision of technical as-
22 sistance and training if the Administrator deter-
23 mines that—

24 “(A) a foreign government would benefit
25 from technical assistance pursuant to this sub-

1 section to strengthen aviation safety, efficiency,
2 and security; and

3 “(B) the engagement is to provide inher-
4 ently governmental technical assistance and
5 training.

6 “(4) DEFINITION.—In this subsection, the term
7 ‘inherently governmental technical assistance and
8 training’ means technical assistance and training
9 that—

10 “(A) relies upon or incorporates Federal
11 Aviation Administration-specific program, sys-
12 tem, policy, or procedural matters;

13 “(B) must be accomplished using agency
14 expertise and authority; and

15 “(C) relates to—

16 “(i) international aviation safety as-
17 sessment technical reviews and technical
18 assistance;

19 “(ii) aerodrome safety and certifi-
20 cation;

21 “(iii) aviation system certification ac-
22 tivities based on Federal Aviation Adminis-
23 tration regulations and requirements;

1 “(iv) cybersecurity efforts to protect
2 United States aviation ecosystem compo-
3 nents and facilities;

4 “(v) operation and maintenance of air
5 navigation system equipment, procedures,
6 and personnel; or

7 “(vi) related training and exercises in
8 support of aviation safety, efficiency, and
9 security.”.

10 **SEC. 329. RESTORATION OF AUTHORITY.**

11 (a) IN GENERAL.—Chapter 401 of title 49, United
12 States Code, is amended by inserting after section 40118
13 the following:

14 **“§ 40119. Security and research and development ac-**
15 **tivities**

16 “(a) GENERAL REQUIREMENTS.—The Administrator
17 of the Federal Aviation Administration shall conduct re-
18 search (including behavioral research) and development
19 activities appropriate to develop, modify, test, and evaluate
20 a system, procedure, facility, or device to protect pas-
21 sengers and property against acts of criminal violence, air-
22 craft piracy, and terrorism and to ensure security.

23 “(b) DISCLOSURE.—

24 “(1) REGULATIONS PROHIBITING DISCLO-
25 SURE.—Notwithstanding the establishment of a De-

1 partment of Homeland Security, the Secretary of
2 Transportation, in accordance with section
3 552(b)(3)(B) of title 5, United States Code, shall
4 prescribe regulations prohibiting disclosure of infor-
5 mation obtained or developed in ensuring security
6 under this title if the Secretary of Transportation
7 decides disclosing the information would—

8 “(A) be an unwarranted invasion of per-
9 sonal privacy;

10 “(B) reveal a trade secret or privileged or
11 confidential commercial or financial informa-
12 tion; or

13 “(C) be detrimental to transportation safe-
14 ty.

15 “(2) DISCLOSURE TO CONGRESS.—Paragraph
16 (1) of this subsection does not authorize information
17 to be withheld from a committee of Congress author-
18 ized to have the information.

19 “(3) SENSITIVE SECURITY INFORMATION.—
20 Nothing in paragraph (1) shall be construed to au-
21 thorize the designation of information as sensitive
22 security information (as defined in section 15.5 of
23 title 49, Code of Federal Regulations)—

24 “(A) to conceal a violation of law, ineffi-
25 ciency, or administrative error;

1 “(B) to prevent embarrassment to a per-
2 son, organization, or agency;

3 “(C) to restrain competition; or

4 “(D) to prevent or delay the release of in-
5 formation that does not require protection in
6 the interest of transportation security, including
7 basic scientific research information not clearly
8 related to transportation security.

9 “(4) LAW ENFORCEMENT DISCLOSURE.—Sec-
10 tion 552a of title 5, United States Code, shall not
11 apply to disclosures that the Administrator may
12 make from the systems of records of the Federal
13 Aviation Administration to any Federal law enforce-
14 ment, intelligence, protective service, immigration, or
15 national security official in order to assist the offi-
16 cial receiving the information in the performance of
17 official duties.

18 “(c) TRANSFERS OF DUTIES AND POWERS PROHIB-
19 ITED.—Except as otherwise provided by law, a duty or
20 power under this section may not be transferred to an-
21 other department, agency, or instrumentality of the
22 United States Government.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall be effective as of October 5, 2018, and
25 all authority restored to the Secretary and the FAA under

1 this section shall be treated as if it had never been re-
2 pealed by the FAA Reauthorization Act of 2018 (Public
3 Law 115-254; 132 Stat. 3186).

4 (c) CONFORMING AMENDMENTS.—

5 (1) CHAPTER 401 ANALYSIS.—The analysis for
6 chapter 401 of title 49, United States Code, is
7 amended by inserting after the item relating to sec-
8 tion 40118 the following:

“40119. Security and research and development activities.”.

9 (2) OTHER DISCLOSURE REQUIREMENTS.—Sec-
10 tion 44912 of title 49, United States Code, is
11 amended in subsection (d) by striking paragraph (2)
12 and redesignating paragraph (3) as paragraph (2).

13 **SEC. 330. TARMAC OPERATIONS MONITORING STUDY.**

14 (a) IN GENERAL.—The Director of the Bureau of
15 Transportation Statistics (referred to in this section as the
16 “Director”), in consultation with other offices within the
17 Office of the Secretary of Transportation and the FAA,
18 shall conduct a study to explore the capture, storage, anal-
19 ysis, and feasibility of monitoring ground source data at
20 airports in the United States.

21 (b) OBJECTIVES.—The objectives of the study con-
22 ducted under subsection (a) shall include:

23 (1) Determining the current state of ground
24 source data coverage at airports in the United
25 States.

1 (2) Understanding the technology requirements
2 for monitoring ground movements at airports
3 through sensors, receivers, or other technologies.

4 (3) Conducting data collection through a pilot
5 program and developing ground-based tarmac delay
6 statistics.

7 (4) Performing an evaluation and feasibility
8 analysis of potential system-level tarmac operations
9 monitoring solutions.

10 (c) PILOT PROGRAM.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of enactment of this section, the Di-
13 rector shall establish a pilot program for the pur-
14 poses of collecting data and developing ground-based
15 tarmac delay statistics or other relevant statistics
16 with respect to airports in the United States.

17 (2) REQUIREMENTS.—The pilot program estab-
18 lished under paragraph (1) shall—

19 (A) include up to 6 airports that the Direc-
20 tor determines reflect a diversity of factors in-
21 cluding, geography, size, and air traffic;

22 (B) terminate not more than 3 years after
23 the date of enactment of this section; and

24 (C) be subject to any guidelines issued by
25 the Director.

1 (d) REPORT.—Not later than 4 years after the date
2 of enactment of this section, the Director shall publish the
3 results of the study conducted under subsection (a) and
4 the pilot program established under subsection (c) on a
5 publicly available website.

6 **SEC. 331. GAO REPORT ON CYBERSECURITY OF COMMERCIAL AVIATION AVIONICS.**
7

8 (a) IN GENERAL.—The Comptroller General shall
9 conduct a review on the consideration, identification, and
10 inclusion of aircraft cybersecurity into the strategic frame-
11 work for aviation security as part of the FAA’s cybersecu-
12 rity strategy.

13 (b) CONTENTS OF THE REVIEW.—The review re-
14 quired by subsection (a) shall assess—

15 (1) how onboard aircraft cybersecurity risks
16 and vulnerabilities are defined and accounted for in
17 the strategy aviation security framework, particu-
18 larly in pillar 2 of that framework to “protect and
19 defend FAA networks and systems to mitigate risks
20 to FAA missions and service delivery”;

21 (2) how onboard aircraft cybersecurity, particu-
22 larly of the aircraft avionics, is considered, incor-
23 porated, and prioritized in the cybersecurity strategy
24 pursuant to section 509 of the FAA Reauthorization
25 Act of 2018 (49 U.S.C. 44903 note);

1 (3) how roles and responsibilities for aircraft
2 and ground systems cybersecurity are differentiated
3 and enforced between the Transportation Security
4 Agency and the FAA;

5 (4) how aircraft and ground systems cybersecu-
6 rity vulnerabilities are being identified and
7 prioritized for mitigation, particularly considering
8 the commercial technology ecosystem; and

9 (5) the budgets of the parties responsible for
10 implementing the strategy framework for aviation
11 security, as identified in subsection (a), to satisfy
12 those mitigation requirements necessary to secure
13 the aviation ecosystem from onboard cybersecurity
14 vulnerabilities.

15 (c) REPORT REQUIRED.—Not later than 1 year after
16 the date of the enactment of this section, the Comptroller
17 General shall submit a report containing the results of the
18 review required by this section to—

19 (1) the appropriate committees of Congress;

20 (2) the Committee on Homeland Security of the
21 House of Representatives; and

22 (3) the Committee on Homeland Security and
23 Government Affairs of the Senate.

1 **SEC. 332. SECURING AIRCRAFT AVIONICS SYSTEMS.**

2 Section 506(a) of the FAA Reauthorization Act of
3 2018 (42 U.S.C. 44704 note) is amended—

4 (1) in the matter preceding paragraph (1), by
5 striking “consider, where appropriate, revising” and
6 inserting “revise, where appropriate, existing”;

7 (2) in paragraph (1), by striking “and” after
8 the semicolon;

9 (3) in paragraph (2), by striking the period at
10 the end and inserting “; and”; and

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

12 “(3) to require that software-based systems and
13 equipment, including aircraft flight critical systems,
14 be verified to ensure the software-based systems and
15 equipment have not been compromised by unauthor-
16 ized external and internal access.”.

17 **SEC. 333. MAINTENANCE DATA AVAILABILITY.**

18 (a) IN GENERAL.—The Administrator shall assign to
19 the Aviation Rulemaking Advisory Committee the task
20 of—

21 (1) performing a comprehensive review of pre-
22 vious and current FAA regulations and related in-
23 ternal and external guidance material related to in-
24 structions for continue airworthiness (in this section
25 referred to as “ICA”); and

1 (2) developing and submitting to the Adminis-
2 trator recommendations for guidance or regulatory
3 changes to—

4 (A) clarify the obligations of design ap-
5 proval holders to develop and make ICA avail-
6 able;

7 (B) create methods to identify and provide
8 access to ICA; and

9 (C) create mechanisms to accept com-
10 plaints, resolve disputes, and enforce obliga-
11 tions.

12 (b) REPORT TO CONGRESS.—Not later than 1 year
13 after receiving the recommendations under subsection (a),
14 the Administrator shall submit to the appropriate commit-
15 tees of Congress a report that describes such recommenda-
16 tions and the Administrator’s plan, if any, to implement
17 such recommendations.

18 **SEC. 334. STUDY ON AIRWORTHINESS STANDARDS COMPLI-**
19 **ANCE.**

20 (a) STUDY.—The Administrator shall conduct a
21 study on the safety consequences of a transport airplane
22 design approved by a domestic or foreign aviation manu-
23 facturer failing to comply with the applicable airworthi-
24 ness standards. The study shall identify—

1 (1) each final airworthiness directive applicable
2 to transport airplanes that was issued by the FAA
3 in the 2-year period prior to the date of enactment
4 of this section to address unsafe conditions resulting
5 from the approval of designs that were non-compli-
6 ant with an applicable airworthiness standard; and

7 (2) for each such airworthiness directive—

8 (A) the airworthiness standard with which
9 the affected products failed to comply, as well
10 as the resulting unsafe condition and whether
11 such condition resulted in an accident;

12 (B) the methods by which the noncompli-
13 ance was discovered and brought to the atten-
14 tion of the FAA;

15 (C) an analysis of whether the method
16 used by the applicant to show compliance was
17 acceptable and whether other compliance meth-
18 ods would have identified the noncompliance
19 during the type certification process;

20 (D) the date of approval of the relevant
21 type design and the date of issuance of the air-
22 worthiness directive;

23 (E) any corrective action mandated to ad-
24 dress the identified unsafe condition;

1 (F) the period of time specified for the in-
2 corporation of the corrective action, during
3 which the affected products were allowed to op-
4 erate before the unsafe condition was corrected;
5 and

6 (G) the total cost of compliance estimated
7 in the final rule adopting the airworthiness di-
8 rective.

9 (b) COORDINATION.—In conducting the study under
10 subsection (a), the Administrator shall coordinate with,
11 and solicit comments from, union representatives of the
12 aviation safety engineers involved in the development of
13 airworthiness directives.

14 (c) REPORT TO CONGRESS.—Not later than 1 year
15 after the date of enactment of this section, the Adminis-
16 trator shall submit to the appropriate committees of Con-
17 gress a report that includes—

18 (1) the results of the study conducted under
19 subsection (a);

20 (2) a description of any root cause of unsafe
21 conditions identified by such study, as well as an
22 identification of any action required to address any
23 such root cause;

24 (3) the union representative comments solicited
25 under subsection (b); and

1 (4) any other recommendations for legislative or
2 administrative action determined appropriate by the
3 Administrator.

4 (d) DEFINITION OF TRANSPORT AIRPLANE.—For
5 purposes of this section, the term “transport airplane” has
6 the meaning given such term in FAA Notice N 8900.649,
7 titled “Use of Air Carrier Pilots During Flight Standard-
8 ization Board Evaluations for Transport Airplanes”
9 (issued December 23, 2022).

10 **SEC. 335. FIRE PROTECTION STANDARDS.**

11 (a) INTERNAL REGULATORY REVIEW TEAM.—

12 (1) ESTABLISHMENT.—Not later than 60 days
13 after the date of enactment of this section, the Ad-
14 ministrator shall establish an internal regulatory re-
15 view team (in this section referred to as the
16 “Team”).

17 (2) REVIEW.—

18 (A) IN GENERAL.—Not later than 180
19 days after the date on which the Team is estab-
20 lished, the Team shall conduct a review of for-
21 eign airworthiness standards and guidance for
22 firewalls to determine best practices that should
23 be adopted by the FAA and submit to the Ad-
24 ministrator a report on the findings of such re-
25 view.

1 (B) REQUIREMENTS.—In conducting the
2 review, the team shall—

3 (i) identify any significant differences
4 in standards or guidance with respect to
5 test article selection, fire test boundaries,
6 and evaluation criteria for such tests, in-
7 cluding the use of certification by analysis
8 where substantially similar designs have
9 passed burn tests;

10 (ii) assess the safety implications for
11 any products imported into the United
12 States that do not comply with the FAA’s
13 firewall requirements; and

14 (iii) consult with industry stakeholders
15 to the maximum extent practicable.

16 (b) DUTIES OF THE ADMINISTRATOR.—The Adminis-
17 trator shall—

18 (1) not later than 60 days after the date on
19 which the Team reports the findings of the review
20 to the Administrator, update the FAA’s Significant
21 Standards List based on such findings; and

22 (2) not later than 90 days after such date, sub-
23 mit to the appropriate committees of Congress a re-
24 port on such findings, together with recommenda-

1 tions for such legislative or administrative action as
2 the Administrator determines appropriate.

3 **SEC. 336. CABIN AIR SAFETY.**

4 (a) DEADLINE FOR SUBMISSIONS TO CONGRESS.—
5 Not later than 60 days after the date of enactment of this
6 section, the Administrator shall complete the requirements
7 of section 326 of the FAA Reauthorization Act of 2018
8 (49 U.S.C. 40101 note) and submit to the appropriate
9 Congressional committees the following:

10 (1) The study by the Airliner Cabin Environ-
11 mental Research Center of Excellence on bleed air
12 required by subsection (c) of such section.

13 (2) The report on the feasibility, efficacy, and
14 cost-effectiveness of certification and installation of
15 systems to evaluate bleed air quality required by
16 subsection (d) of such section.

17 (b) RULEMAKING.—Not later than 1 year after such
18 date of enactment, the Administrator may issue a notice
19 of proposed rulemaking to establish requirements for
20 scheduled passenger air carrier operations under part 121
21 of title 14, Code of Federal Regulations, with respect to
22 incidents onboard aircraft involving oil and hydraulic fluid
23 fume events. The rulemaking shall include, as necessary,
24 the study and report required under subsection (a) and
25 may include the following:

1 (1) Training for flight attendants, pilots, air-
2 craft maintenance technicians, airport first respond-
3 ers, and emergency responders on how to respond to
4 incidents on aircraft involving smoke or fume events.

5 (2) A standardized FAA form and system for
6 reporting incidents involving smoke or fume events
7 onboard aircraft.

8 (3) The development of investigative procedures
9 for the FAA to follow after receipt of a report of an
10 incident involving an oil and hydraulic fluid event
11 onboard aircraft in which at least 1 passenger or
12 crew member required medical attention as a result
13 of the incident.

14 (4) Installation onboard aircraft of detectors
15 and other air quality monitoring equipment situated
16 in the air supply system to enable pilots and mainte-
17 nance technicians to locate the sources of air supply
18 contamination, including carbon monoxide.

19 **SEC. 337. AIRPORT AIR SAFETY.**

20 The Administrator shall evaluate whether there are
21 impacts to travelers due to poor air quality and bleed air
22 inside Washington Dulles International Airport.

1 **SEC. 338. AIRCRAFT INTERCHANGE AGREEMENT LIMITA-**
2 **TIONS.**

3 (a) IN GENERAL.—Not later than 6 months after the
4 date of enactment of this section, the Administrator shall
5 revise section part 121.569 of title 14, Code of Federal
6 Regulations, to include each of the provisions described
7 in subsection (b).

8 (b) PROVISIONS DESCRIBED.—The provisions de-
9 scribed in this subsection are the following:

10 (1) A 30-day limit on foreign aircraft inter-
11 change agreements.

12 (2) A minimum break between foreign aircraft
13 interchange renewals of 90 days.

14 (3) A limit of no more than 1 foreign aircraft
15 interchange agreement between 2 airlines.

16 (4) A limit of no more than 2 foreign aircraft
17 on the interchange agreement.

18 **SEC. 339. WILDFIRE SUPPRESSION.**

19 (a) IN GENERAL.—To ensure that sufficient fire-
20 fighting resources are available to suppress wildfires and
21 protect public safety and property, and notwithstanding
22 any other provision of law or agency regulation, not later
23 than 18 months after the date of enactment of this sec-
24 tion, the Administrator shall promulgate an interim final
25 rule under which—

1 (1) an operation described in section
2 21.25(b)(7) of title 14, Code of Federal Regulations,
3 shall allow for the transport of firefighters to and
4 from the site of a wildfire to perform ground wildfire
5 suppression and designate the firefighters con-
6 ducting such an operation as essential crewmembers
7 on board a covered aircraft operated on a mission to
8 suppress wildfire;

9 (2) the aircraft maintenance, inspections, and
10 pilot training requirements under part 135 of such
11 title 14 may apply to such an operation, if deter-
12 mined by the Administrator to be necessary to main-
13 tain the safety of firefighters carrying out wildfire
14 suppression missions; and

15 (3) the noise standards described in part 36 of
16 such title 14 shall not apply to such an operation.

17 (b) SURPLUS MILITARY AIRCRAFT.—In promul-
18 gating any rule under subsection (a), the Administrator
19 shall not enable any aircraft of a type that has been manu-
20 factured in accordance with the requirements of and ac-
21 cepted for use by, any branch of the United States Mili-
22 tary and has been later modified to be used for wildfire
23 suppression operations.

24 (c) CONFORMING AMENDMENTS TO FAA DOCU-
25 MENTS.—In promulgating an interim final rule under sub-

1 section (a), the Administrator shall amend FAA Order
2 8110.56, Restricted Category Type Certification (dated
3 February 27, 2006), as well as any corresponding policy
4 or guidance material, to reflect the requirements of sub-
5 section (a).

6 (d) SAVINGS PROVISION.—Nothing in this section
7 shall be construed to limit the Administrator’s authority
8 to take action otherwise authorized by law to protect avia-
9 tion safety or passenger safety.

10 (e) DEFINITIONS.—For purposes of this section:

11 (1) COVERED AIRCRAFT.—The term “covered
12 aircraft” means an aircraft type-certificated in the
13 restricted category under section 21.25 of title 14,
14 Code of Federal Regulations, used for transporting
15 firefighters to and from the site of a wildfire in
16 order to perform ground wildfire suppression for the
17 purpose of extinguishing a wildfire on behalf of, or
18 pursuant to a contract with, a Federal, State, or
19 local government agency.

20 (2) FIREFIGHTERS.—The term “firefighters”
21 means a trained fire suppression professional the
22 transport of whom is necessary to accomplish a wild-
23 fire suppression operation.

1 **SEC. 340. STUDY ON IMPACTS OF TEMPERATURE IN AIR-**
2 **CRAFT CABINS.**

3 (a) STUDY.—

4 (1) IN GENERAL.—Not later than 2 years after
5 the date of enactment of this section, the Adminis-
6 trator shall enter into appropriate arrangements
7 with the National Academies of Sciences, Engineer-
8 ing, and Medicine (in this subsection referred to as
9 the “National Academies”) under which the Na-
10 tional Academies will conduct a 1-year study on the
11 health and safety impacts, with respect to pas-
12 sengers and crewmembers during each season in
13 which the study is conducted, of the temperature of
14 a covered aircraft cabin falling outside of a tempera-
15 ture between 65 and 85 degrees Fahrenheit during
16 all phases of flight operation.

17 (2) CONSULTATION.—In conducting the study
18 required by paragraph (1), the National Academies
19 shall consult with the FAA Civil Aerospace Medical
20 Institute, air carriers operating under part 121 of
21 title 14, Code of Federal Regulations, and applicable
22 aviation labor organizations.

23 (3) FLIGHT DEFINITION.—For purposes of
24 paragraph (1), the term “flight operation” means
25 the period beginning on the moment an individual
26 boards the covered aircraft with the intention of

1 work and duty related to the flight until such time
2 as all such individuals have disembarked from the
3 covered aircraft.

4 (b) REPORTS.—

5 (1) TO THE ADMINISTRATOR.—Not later than
6 180 days after the date on which the study under
7 subsection (a) is completed, the National Academies
8 shall submit to the Administrator a report on the re-
9 sults of such study, together with recommendations
10 determined appropriate by the National Academies.

11 (2) TO CONGRESS.—Not later than 60 days
12 after the date on which the National Academies sub-
13 mits the report under paragraph (1), the Adminis-
14 trator shall submit to the appropriate committees of
15 Congress a report describing the results of the study
16 required by subsection (a), together with rec-
17 ommendations for further action deemed appropriate
18 by the Administrator.

19 (c) DEFINITION OF COVERED AIRCRAFT.—For pur-
20 poses of this section, the term “covered aircraft” means
21 an aircraft operated under part 121 of title 14, Code of
22 Federal Regulations.

1 **SEC. 341. PART 135 PILOT SUPPLEMENTAL OXYGEN RE-**
2 **QUIREMENT.**

3 Not later than 1 year after the date of enactment
4 of this section, the Administrator shall issue a notice of
5 proposed rulemaking concerning whether to revise the re-
6 quirements under paragraphs (3) and (4) of section
7 135.89(b) of title 14, Code of Federal Regulations, to only
8 apply to aircraft operating at altitudes above flight level
9 410. In the notice of proposed rulemaking, the Adminis-
10 trator shall consider applicable safety data and risks, in-
11 cluding in relation to applicable incidents and accidents,
12 as well as the investigations and recommendations of the
13 National Transportation Safety Board.

14 **SEC. 342. CREWMEMBER PUMPING GUIDANCE.**

15 (a) **IN GENERAL.**—Not later than 180 days after the
16 date of enactment of this section, the Administrator shall
17 issue guidance to Part 121 air carriers relating to the ex-
18 pression of milk by crewmembers on an aircraft during
19 non-critical phases of flight, consistent with the perform-
20 ance of the crewmember's duties aboard the aircraft. The
21 guidance shall be equally applicable to any lactating crew-
22 member. In developing the guidance, the Administrator
23 shall—

24 (1) consider multiple methods of expressing
25 breast milk that could be used by crewmembers, in-
26 cluding the use of wearable lactation technology; and

1 (2) ensure that complying with the advisory cir-
2 cular will not require an air carrier or foreign air
3 carrier to incur significant expense, such as through
4 the addition of an extra crewmember in response to
5 providing a break, removal or retrofitting of seats on
6 the aircraft, or modification or retrofitting of an air-
7 craft.

8 (b) DEFINITIONS.—In this section:

9 (1) CREWMEMBER.—The term “crewmember”
10 has the meaning given such term in section 1.1 of
11 title 14, Code of Federal Regulations.

12 (2) CRITICAL PHASES OF FLIGHT.—The term
13 “critical phases of flight” has the meaning given
14 such term in section 121.542 of title 14, Code of
15 Federal Regulations.

16 (3) PART 121.—The term “Part 121” means
17 part 121 of title 14, Code of Federal Regulations.

18 (c) AVIATION SAFETY.—Nothing in this section shall
19 limit the Administrator’s authority for aviation safety
20 under subtitle VII of title 49, United States Code.

1 **SEC. 343. REAUTHORIZATION OF CERTAIN PROVISIONS OF**
2 **THE AIRCRAFT CERTIFICATION, SAFETY, AND**
3 **ACCOUNTABILITY ACT.**

4 (a) OVERSIGHT OF ORGANIZATION DESIGNATION
5 AUTHORIZATION UNIT MEMBERS.—Section 44741 of title
6 49, United States Code, is amended—

7 (1) in subsection (f)(2), in the matter preceding
8 subparagraph (A), by striking “September 30,
9 2023” and inserting “September 30, 2028”; and

10 (2) in subsection (j), by striking “2023” and
11 inserting “2028”.

12 (b) INTEGRATED PROJECT TEAMS.—Section 108(f)
13 of division V of the Consolidated Appropriations Act, 2021
14 (49 U.S.C. 44704 note) is amended by striking “fiscal
15 year 2023” and inserting “fiscal year 2028”.

16 (c) APPEALS OF CERTIFICATION DECISIONS.—Sec-
17 tion 44704(g)(1)(C)(ii) of title 49, United States Code,
18 is amended by striking “calendar year 2025” and insert-
19 ing “calendar year 2028”.

20 (d) PROFESSIONAL DEVELOPMENT, SKILLS EN-
21 HANCEMENT, CONTINUING EDUCATION AND TRAINING.—
22 Section 44519(e) of title 49, United States Code, is
23 amended by striking “2023” and inserting “2028”.

24 (e) VOLUNTARY SAFETY REPORTING PROGRAM.—
25 Section 113(f) of division V of the Consolidated Appro-
26 priations Act, 2021 (49 U.S.C. 44701 note) is amended

1 by striking “fiscal year 2023” and inserting “fiscal year
2 2028”.

3 (f) CHANGED PRODUCT RULE.—Section 117(b)(1) of
4 division V of the Consolidated Appropriations Act, 2021
5 (49 U.S.C. 44704 note) is amended by striking “fiscal
6 year 2023” and inserting “fiscal year 2028”.

7 (g) DOMESTIC AND INTERNATIONAL PILOT TRAIN-
8 ING.—Section 119(f)(3) of division V of the Consolidated
9 Appropriations Act, 2021 is amended by striking “2023”
10 and inserting “2028”.

11 (h) OVERSIGHT OF FAA COMPLIANCE PROGRAM.—
12 Section 122 of division V of the Consolidated Appropria-
13 tions Act, 2021 is amended—

14 (1) in subsection (c)(4), by striking “October 1,
15 2023” and inserting “October 1, 2028”; and

16 (2) in subsection (d), by striking “2023” and
17 inserting “2028”.

18 (i) NATIONAL AIR GRANT FELLOWSHIP PROGRAM.—
19 Section 131(d) of division V of the Consolidated Appropria-
20 tions Act, 2021 (49 U.S.C. 40101 note) is amended
21 by striking “2025” and inserting “2028”.

1 **TITLE IV—MODERNIZING THE**
2 **NATIONAL AIRSPACE SYSTEM**

3 **SEC. 401. NEXTGEN ACCOUNTABILITY TASK FORCE.**

4 (a) ESTABLISHMENT.—The Administrator shall es-
5 tablish a task force, to be known as the “NextGen Ac-
6 countability Task Force” (referred to in this section as
7 the “Task Force”) to provide recommendations on the
8 most effective operational metrics that can be used to as-
9 sess the performance of the FAA in delivering and imple-
10 menting quantifiable operational benefits to the national
11 airspace system within the Next Generation Air Transpor-
12 tation System (NextGen) project.

13 (b) MEMBERSHIP.—

14 (1) IN GENERAL.—The Task Force shall be
15 composed of, at a minimum, representatives from—

16 (A) the FAA;

17 (B) trade associations representing avi-
18 onics manufacturers;

19 (C) trade associations representing air car-
20 riers

21 (D) trade associations representing busi-
22 ness or general aviation operators;

23 (E) labor organizations representing air
24 traffic controllers; and

1 (F) any other interested parties that the
2 Administrator determines may provide expertise
3 and assist the Task Force to fulfill its obliga-
4 tions.

5 (2) APPOINTMENT.—The Administrator shall
6 appoint each member of the Task Force.

7 (3) VACANCIES.—A vacancy in the Task Force
8 shall be filled in the manner in which the original
9 appointment was made.

10 (c) DUTIES.—The Task Force shall —

11 (1) leverage current metrics used by the FAA
12 to quantify the benefits of NextGen technology and
13 investments;

14 (2) validate current and establish additional
15 metrics for the FAA to track national airspace sys-
16 tem throughput and savings due to NextGen invest-
17 ments by calculating a weighted average by distance,
18 on a per flight basis—

19 (A) reduction and cumulative savings of
20 track miles and time savings;

21 (B) reduction and cumulative savings of
22 emissions and fuel burn;

23 (C) reduction of aircraft operation time;
24 and

1 (D) any other metrics that the Adminis-
2 trator determines may provide quantifiable ben-
3 efits for operators in the national airspace sys-
4 tem; and

5 (3) validate current and establish metrics for
6 the FAA to track and assess fleet equipage across
7 operators in the national airspace system includ-
8 ing—

9 (A) percentage of aircraft equipped with
10 NextGen avionics equipment as recommended
11 in the Minimum Capabilities List (MCL) Ad
12 Hoc Team, NextGen Advisory Committee
13 (NAC) Task 19-1 Report completed in Novem-
14 ber 2020;

15 (B) quantified costs and benefits for an
16 operator to properly equip with baseline
17 NextGen avionics equipment over the aircraft's
18 lifecycle; and

19 (C) cumulative unrealized NextGen bene-
20 fits associated with rates of mixed equipage
21 across operators.

22 (d) REPORT.—Not later than 270 days after the date
23 of enactment of this section, the Task Force shall submit
24 to the Administrator a report with its findings and rec-

1 ommendations and metrics developed pursuant to sub-
2 sections (a) and (c).

3 (e) PUBLIC DISPLAY.—Not later than 180 days after
4 receiving the report required under subsection (d), the Ad-
5 ministrator shall establish a website of the FAA that can
6 be used to present, track, and update through 2030—

7 (1) the metrics recommended and established
8 by the Task Force on a quarterly and annual basis
9 depending on the metric; and

10 (2) the total amount invested in NextGen tech-
11 nologies and resulting quantifiable benefits on a
12 quarterly basis until the Administrator declares the
13 completion of NextGen implementation.

14 (f) FEDERAL ADVISORY COMMITTEE ACT.—Chapter
15 10 of title 5, United States Code (commonly known as
16 the “Federal Advisory Committee Act”), shall not apply
17 to the Task Force.

18 (g) SUNSET.—The Task Force shall terminate on the
19 date on which the Administrator receives the report re-
20 quired under subsection (d).

21 **SEC. 402. USE OF ADVANCED SURVEILLANCE IN OCEANIC**
22 **AIRSPACE.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of enactment of this section, the Administrator shall
25 develop a plan to—

1 (1) coordinate with counterparts at air service
2 navigation providers in airspace that is adjacent to
3 United States airspace or international airspace del-
4 egated to the United States to—

5 (A) adopt reduced separation standards in
6 oceanic airspace;

7 (B) implement procedures that will permit
8 user preferred routes to increase fuel efficiency
9 and reduce greenhouse gas emissions; and

10 (C) exercise leadership in setting global
11 standards by harmonizing the safety and effi-
12 ciency of air traffic operations in airspace
13 neighboring any airspace delegated to the
14 United States; and

15 (2) utilize Automatic Dependent Surveillance-
16 Broadcast (ADS-B) relay service within United
17 States airspace or international airspace delegated to
18 the United States for—

19 (A) positive air traffic control, including
20 separation of aircraft by implementing the
21 ICAO Advanced Surveillance-Enhanced Proce-
22 dural Separation standard;

23 (B) air traffic flow management;

24 (C) search and rescue;

25 (D) accident investigation; and

1 (E) data analytics.

2 (b) REPORT.—Not later than 120 days after the date
3 on which the Administrator completes development of the
4 plan required by subsection (a), the Administrator shall
5 submit to the appropriate committees of Congress a report
6 that—

7 (1) details the actions the Administrator shall
8 take to implement the plan, including specifying the
9 required technical system upgrades, operational pro-
10 cedure modifications, new training requirements,
11 and a transition plan;

12 (2) details a schedule with milestones for imple-
13 mentation of the use of advanced surveillance sys-
14 tems or services and coordination of such use with
15 international air service navigation providers; and

16 (3) describes any anticipated safety enhance-
17 ments, fuel and operating cost savings, and reduc-
18 tion in carbon emissions of aircraft operating
19 through airspace in which such advanced surveil-
20 lance systems or services are used.

21 **SEC. 403. GPS MONITORING PILOT PROGRAM.**

22 (a) ESTABLISHMENT.—The Administrator shall con-
23 duct a pilot program to evaluate technologies to detect,
24 measure, and locate disrupting sources of interference to
25 the GPS Standard Positioning Service in order to mitigate

1 the impacts on air commerce and other related govern-
2 ment and civilian functions within the air traffic manage-
3 ment ecosystem.

4 (b) EVALUATION OF TECHNOLOGIES.—

5 (1) TYPES OF TECHNOLOGIES.—The pilot pro-
6 gram shall evaluate commercially available tech-
7 nologies, as well as technologies under development
8 by the FAA, the Department of Transportation, the
9 Department of Defense, the Department of Home-
10 land Security, and the National Aeronautics and
11 Space Administration.

12 (2) SCOPE.—The pilot program shall consider
13 technologies that have both physical electronics
14 equipment and software components, as well as tech-
15 nologies with only software components.

16 (c) NUMBER OF EVALUATION SITES.—The pilot pro-
17 gram shall evaluate technologies for the purposes de-
18 scribed in subsection (a) at not less than 5, and not more
19 than 7, airports unless the Administrator determines that
20 additional evaluation sites are needed to carry out the pilot
21 program.

22 (d) LOCATION OF EVALUATION SITES.—

23 (1) IN GENERAL.—The pilot program shall be
24 conducted at each of the following types of airports:

25 (A) A primary airport in Class B airspace.

1 (B) A primary airport in Class C airspace.

2 (C) A primary airport in Class D airspace.

3 (D) An airport in Class E airspace.

4 (E) A Joint-Use Airport.

5 (2) DOCUMENTED INTERFERENCE.—In deter-
6 mining whether an airport should be an evaluation
7 site for the pilot program, the Administrator shall
8 consider airports described in paragraph (1) that
9 have experienced documented instances of inter-
10 ference to the GPS Standard Positioning Service
11 during the 5-year period ending with the date of en-
12 actment of this section.

13 (e) PRIVATE SECTOR PARTICIPATION.—The Admin-
14 istrator shall collaborate with the private sector, including
15 providers of technology that can cost-effectively implement
16 a capability to potentially mitigate the impacts of GPS
17 Standard Positioning Service interference on air com-
18 merce.

19 (f) CONGRESSIONAL BRIEFINGS.—Beginning 12
20 months after the date of enactment of this section, and
21 annually thereafter until the date on which the report re-
22 quired by subsection (g) is submitted, the Administrator
23 shall provide the appropriate committees of Congress with
24 a briefing summarizing the status of, and findings from,
25 the pilot program.

1 (g) REPORT.—Not later than 180 days after date on
2 which pilot program is terminated, the Administrator shall
3 provide a report to the appropriate committees of Con-
4 gress on the results of the pilot program.

5 (h) GPS STANDARD POSITIONING SERVICE DE-
6 FINED.—In this section, the term “GPS Standard Posi-
7 tioning Service” has the meaning given such term in sec-
8 tion 2281(d)(2) of title 10, United States Code.

9 **SEC. 404. RUNWAY SAFETY TECHNOLOGIES.**

10 (a) STUDY.—The Administrator shall conduct a
11 study of runway safety incidents and accidents at airports
12 in the United States and identify technologies that may
13 prevent or reduce the risk of such incidents and accidents.

14 (b) REPORT.—Not later than 9 months after the date
15 of enactment of this section, the Administrator shall sub-
16 mit to the appropriate committees of Congress a report
17 containing the results of the study conducted under sub-
18 section (a) that includes the following:

19 (1) Recommendations for preventative meas-
20 ures, including process changes and identification of
21 available technologies, to mitigate the risks of run-
22 way safety incidents and accidents at or near air-
23 ports in the United States.

24 (2) Recommendations for additional airports in
25 the United States, based on a risk-based analysis,

1 that would be viable candidates for installation of
2 runway safety technologies.

3 (3) The FAA's timeline and action plan for re-
4 placing, maintaining, or enhancing the operational
5 capability provided by the Airport Surface Detection
6 System - Model X (ASDE-X) and the Airport Sur-
7 face Surveillance Capability (ASSC) legacy surveil-
8 lance systems, and implementing runway safety
9 technologies at airports currently without surface
10 surveillance systems, as needed to improve runway
11 safety.

12 (4) An explanation of the decision-making proc-
13 ess used by the FAA to determine whether to intro-
14 duce runway safety technologies, like ASDE-X,
15 ASSC, or other appropriate surface surveillance sys-
16 tems, at additional airports.

17 (c) BRIEFINGS.—Following the submission of the re-
18 port under subsection (b) and annually thereafter, the Ad-
19 ministrator shall brief the appropriate committees of Con-
20 gress on the progress of the action plan under subsection
21 (b)(3), including on the—

22 (1) status of implementing new surface surveil-
23 lance systems at additional airports; and

24 (2) justification for delaying or not imple-
25 menting additional surface surveillance systems at

1 airports identified by the Administrator under sub-
2 section (b)(2).

3 **SEC. 405. FLIGHT PROFILE OPTIMIZATION.**

4 (a) PILOT PROGRAM.—

5 (1) ESTABLISHMENT.—Not later than 90 days
6 after the date of enactment of this section, the Ad-
7 ministrator shall establish a pilot program to award
8 grants to air traffic flow management technology
9 providers to develop prototype capabilities to incor-
10 porate flight profile optimization (in this section re-
11 ferred to as “FPO”) into the FAA’s trajectory
12 based-operations air traffic flow management sys-
13 tem.

14 (2) CONSIDERATIONS.—In establishing the pilot
15 program under paragraph (1), the Administrator
16 shall consider the following:

17 (A) The extent to which developed FPO
18 capabilities may reduce strain on the national
19 airspace system infrastructure while facilitating
20 safe and efficient flow of future air traffic vol-
21 umes and diverse range of aircraft and ad-
22 vanced aviation aircraft.

23 (B) The extent to which developed FPO
24 capabilities may achieve environmental benefits
25 and time savings.

1 (C) The perspectives of FAA employees re-
2 sponsible for air traffic flow management devel-
3 opment projects, bilateral civil aviation regu-
4 latory partners, and industry applicants on the
5 FAA's performance in carrying out air traffic
6 flow management system development projects.

7 (D) Any other information the Adminis-
8 trator deems appropriate.

9 (3) APPLICATION.—To be eligible to receive a
10 grant under the program, an air traffic flow man-
11 agement technology provider shall submit an appli-
12 cation to the Administrator at such time, in such
13 manner, and containing such information as the Ad-
14 ministrator may require.

15 (4) MAXIMUM AMOUNT.—A grant awarded
16 under the program shall not exceed \$2,000,000 to a
17 single air traffic flow management technology pro-
18 vider.

19 (b) BRIEFING TO CONGRESS.—Not later than 180
20 days after the establishment of the pilot program under
21 subsection (a), and annually thereafter until the termi-
22 nation of the pilot program, the Administrator shall brief
23 the appropriate committees of Congress on the progress
24 of the pilot program under this section, including any im-
25 plementation challenges of the program, detailed metrics

1 of the program, and any suggested action to achieve the
2 adoption of FPO.

3 (c) DEFINITION OF TRAJECTORY-BASED OPER-
4 ATIONS.—The term “trajectory-based operations” means
5 an air traffic flow management method for strategically
6 planning, managing, and optimizing flights that uses time-
7 based management, performance-based navigation, and
8 other capabilities and processes to achieve air traffic flow
9 management operational objectives and improvements.

10 **SEC. 406. STARS REMOTE SURVEILLANCE DISPLAYS.**

11 (a) CERTIFICATION.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this section, the Adminis-
14 trator shall define minimum performance and tech-
15 nical requirements in order to provide a mechanism
16 to certify a commercial radar display capable of dis-
17 playing primary and secondary radar targets for use
18 by controllers in FAA Contract Tower program tow-
19 ers.

20 (2) STARS.—With respect to a Standard Ter-
21 minal Automation Replacement System or any
22 equivalent system procured directly from an original
23 equipment manufacturer (in this section referred to
24 as an “OEM”), the Administrator shall move expedi-
25 tiously to certify such systems for Federal contract

1 towers and identify such systems by issuing an advisory circular regarding the certification of such systems.
2
3

4 (3) MINIMUM EQUIPMENT LIST.—The FAA
5 may add Standard Terminal Automation Replacement System equipment to the minimum level of equipment necessary for Federal contract towers to perform their function, as applicable.
6
7
8

9 (b) INSTALLATION AND MAINTENANCE.—Not later
10 than December 31, 2025, the Administrator shall allow
11 airports to—

12 (1) procure, install, and maintain a Standard
13 Terminal Automation Replacement System or any
14 equivalent system through the FAA; or

15 (2) purchase a Standard Terminal Automation
16 Replacement System or any equivalent system and
17 installation and maintenance services directly from
18 an OEM.

19 **SEC. 407. AUDIT OF LEGACY SYSTEMS.**

20 (a) IN GENERAL.—Not later than 120 days after the
21 date of enactment of this section, the Administrator shall
22 initiate an audit of all legacy systems to determine their
23 level of operational risk, functionality, security, and compatibility with current and future technology.
24

1 (b) SCOPE OF AUDIT.—The audit required by sub-
2 section (a)—

3 (1) shall be conducted by an independent third-
4 party contractor or a Federally funded research and
5 development center (FFRDC) selected by the Ad-
6 ministrator;

7 (2) shall include an assessment of whether a
8 legacy system is outdated, insufficient, unsafe, or
9 unstable, as defined in subsection (f); and

10 (3) with respect to any legacy systems identified
11 in the audit as outdated, insufficient, unsafe, or un-
12 stable, shall include—

13 (A) an analysis of the operational risks as-
14 sociated with using such legacy systems;

15 (B) recommendations for replacement or
16 enhancement of such legacy systems; and

17 (C) an analysis of any potential impact on
18 aviation safety and efficiency.

19 (c) DEADLINE.—Not later than December 31, 2025,
20 the audit required by subsection (a) shall be completed.

21 (d) REPORT.—Not later than 180 days after the
22 audit required by subsection (a) is completed, the Admin-
23 istrator shall provide a report to the appropriate commit-
24 tees of Congress on the audit’s findings and recommenda-
25 tions, including—

1 (1) an inventory of the legacy systems in use;

2 (2) an assessment of the operational condition
3 of the legacy systems in use; and

4 (3) the average age of in-service legacy systems
5 and, for each legacy system in use, the intended de-
6 sign life of the system, by type.

7 (e) COLLABORATION WITH INDUSTRY ON PLAN TO
8 ACCELERATE DRAWDOWN, REPLACEMENT, OR ENHANCE-
9 MENT OF LEGACY SYSTEMS.—

10 (1) IN GENERAL.—Not later than 120 days
11 after the date on which the Administrator provides
12 the report required by subsection (d), the Adminis-
13 trator shall initiate a plan, in coordination with in-
14 dustry, to accelerate drawdown, replacement, or en-
15 hancement of any legacy systems that are identified
16 in the audit required by subsection (a) as outdated,
17 insufficient, unsafe, or unstable.

18 (2) PRIORITIES.—The Administrator shall
19 prioritize the drawdown, replacement, or enhance-
20 ment of such legacy systems based on the oper-
21 ational risks such legacy systems pose to air safety
22 and the costs associated with the replacement or en-
23 hancement of such legacy systems.

24 (3) COLLABORATION.—The Administrator shall
25 work with industry to develop a plan to replace or

1 enhance the identified legacy systems within a rea-
2 sonable time frame.

3 (4) PROGRESS UPDATES.—The Administrator
4 shall provide the appropriate committees of Congress
5 with semi-annual updates on the progress made in
6 replacing or enhancing the identified legacy systems.

7 (f) DEFINITIONS.—In this section:

8 (1) INDUSTRY.—The term “industry” means
9 the aviation industry, limited to organizations with
10 expertise in aviation-dedicated network systems, sys-
11 tems engineering platforms, aviation software serv-
12 ices, air traffic management, flight operations, and
13 International Civil Aviation Organization (ICAO)
14 standards.

15 (2) LEGACY SYSTEMS.—The term “legacy sys-
16 tems” means any communication, navigation, sur-
17 veillance, or automation or network applications or
18 ground-based aviation infrastructure owned by the
19 FAA that were deployed prior to the year 2000, in-
20 cluding the Notice to Air Missions (NOTAM) sys-
21 tem.

22 (3) OUTDATED, INSUFFICIENT, UNSAFE, OR
23 UNSTABLE.—The term “outdated, insufficient, un-
24 safe, or unstable” means a legacy system for which
25 the likelihood of failure creates a risk to air safety

1 or security due to the legacy system's age, ability to
2 be cost-effectively maintained, or any other factors
3 that may compromise the performance or security of
4 the legacy system. Such term includes a legacy sys-
5 tem with a risk of a single point of failure or that
6 lacks of sufficient back-up capability in the event of
7 a failure.

8 **SEC. 408. AERONAUTICAL MOBILE COMMUNICATIONS**
9 **SERVICES.**

10 (a) **SATELLITE VOICE COMMUNICATIONS SERV-**
11 **ICES.**—The Administrator shall evaluate the addition of
12 satellite voice communication services (referred to in this
13 section as “SatVoice”) to the Aeronautical Mobile Com-
14 munications program (in this section referred to as the
15 “AMCS program”) that provides for the delivery of air
16 traffic control messages in oceanic and remote continental
17 airspace.

18 (b) **ANALYSIS AND IMPLEMENTATION PROCE-**
19 **DURES.**—Not later than 120 days after the date of enact-
20 ment of this Act, the Administrator shall begin to develop
21 the safety case analysis and stated implementation proce-
22 dures for SatVoice instructions over the FAA's controlled
23 oceanic and remote continental airspace regions.

1 (c) REQUIREMENTS.—The analysis and implementa-
2 tion procedures required under subsection (b) shall in-
3 clude, at a minimum, the following:

4 (1) Network and protocol testing and integra-
5 tion with satellite service providers.

6 (2) Operational testing with aircraft to identify
7 and resolve performance issues.

8 (3) Collaboration with the International Civil
9 Aviation Organization in defining Satcom Standards
10 and Recommended Practices (SARPs), which shall
11 include an RCP-130 performance standard as well
12 as SatVoice standards.

13 (4) Training of radio operators on new oper-
14 ation procedures and protocols.

15 (5) A phased implementation plan for incor-
16 porating SatVoice services into the AMCS program.

17 (6) The estimated cost of the implementation
18 procedures for relevant stakeholders.

19 (d) HF/VHF MINIMUM EQUIPAGE.—The addition of
20 SatVoice capability as an added means of communication
21 in oceanic and remote continental airspace shall in no way
22 affect the current HF/VHF equipage requirement for
23 communications in such airspace. The Administrator shall
24 maintain existing HF/VHF services as minimum equipage
25 under the AMCS program to provide for auxiliary commu-

1 nication and maintain safety in the event of a satellite out-
2 age.

3 **SEC. 409. LOW ALTITUDE ROUTES FOR VERTICAL FLIGHT.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the national airspace system requires additional
6 rotorcraft, including advanced air mobility aircraft, low-
7 altitude instrument flight rules routes leveraging advances
8 in performance based navigation to operate on direct, safe,
9 and reliable routes that ensure sufficient separation from
10 higher altitude fixed wing aircraft traffic.

11 (b) LOW-ALTITUDE ROTORCRAFT INSTRUMENT
12 FLIGHT ROUTES.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this section, the Adminis-
15 trator shall initiate a rulemaking process to—

16 (A) incorporate instrument flight rules
17 rotorcraft operations into the low-altitude per-
18 formance based navigation procedure infra-
19 structure;

20 (B) prioritize the development of new heli-
21 copter area navigation (RNAV) instrument
22 flight rules routes, acting through notice and
23 comment rulemaking, as part of the United
24 States air traffic service route (ATS) structure
25 that utilize performance based navigation, such

1 as Global Positioning System (GPS) and Global
2 Navigation Satellite System (GNSS) equipment.

3 (2) CONSULTATION.—In carrying out the rule-
4 making process under paragraph (1), the Adminis-
5 trator shall consult with—

6 (A) stakeholders in the airport, heliport,
7 rotorcraft manufacturer, rotorcraft operator,
8 general aviation operator, commercial air car-
9 rier, and performance based navigation tech-
10 nology manufacturer sectors;

11 (B) the United States Helicopter Safety
12 Team; and

13 (C) other stakeholders determined appro-
14 priate by the Administrator.

15 **SEC. 410. ADS-B OUT EQUIPAGE STUDY; VEHICLE-TO-VEHI-**
16 **CLE LINK PROGRAM.**

17 (a) STUDY AND BRIEFING ON ADS-B OUT EQUI-
18 PAGE.—

19 (1) STUDY.—Not later than 90 days after the
20 date of enactment of this section, the Administrator
21 shall initiate a study to determine—

22 (A) the number of aircraft registered in
23 the United States and other devices operating
24 in the airspace of the United States that are

1 not equipped with Automatic Dependent Sur-
2 veillance-Broadcast (ADS-B) out equipment;

3 (B) the requirements for and impact of ex-
4 panding the dual-link architecture that is used
5 below an altitude of FL180 to any altitude
6 below the current radar floor;

7 (C) the costs and benefits of equipage; and

8 (D) the cost and benefits of any accommo-
9 dation made for aircraft with inoperable ADS-
10 B out equipment.

11 (2) ANNUAL BRIEFINGS.—Not later than 1 year
12 after the date of enactment of this section, and an-
13 nually thereafter through 2025, the Administrator
14 shall brief the appropriate committees of Congress
15 on the results of the study conducted under para-
16 graph (1), including any updates thereof.

17 (b) VEHICLE-TO-VEHICLE LINK PROGRAM.—Not
18 later than 270 days after the date of enactment of this
19 section, the Administrator, in coordination with the Ad-
20 ministrator of the National Aeronautics and Space Admin-
21 istration and the Chair of the Federal Communications
22 Commission, shall establish an interagency coordination
23 program to advance Vehicle-to-Vehicle link programs
24 that—

1 (1) enable the real-time digital exchange of key
2 information between nearby aircraft; and

3 (2) are not reliant on ground infrastructure or
4 air-to-ground communication links.

5 **SEC. 411. EXTENSION OF ENHANCED AIR TRAFFIC SERV-**
6 **ICES PILOT PROGRAM.**

7 Section 547 of the FAA Reauthorization Act of 2018
8 (49 U.S.C. 40103 note) is amended—

9 (1) by striking subsection (d) and inserting the
10 following:

11 “(d) DEFINITIONS.—

12 “(1) CERTAIN NEXTGEN AVIONICS.—The term
13 ‘certain NextGen avionics’ means those avionics and
14 baseline capabilities as recommended in the Min-
15 imum Capabilities List (MCL) Ad Hoc Team,
16 NextGen Advisory Committee (NAC) Task 19-1 Re-
17 port completed in November 2020.

18 “(2) PREFERENTIAL BASIS.—The term ‘pref-
19 erential basis’ means prioritizing aircraft equipped
20 with certain NextGen avionics by providing them
21 more efficient service, shorter queuing, or priority
22 clearances to the maximum extent possible without
23 reducing overall capacity or safety of the national
24 airspace system.”; and

1 (2) in subsection (e), by striking “September
2 30, 2023” and inserting “September 30, 2028”.

3 **SEC. 412. NEXTGEN EQUIPAGE PLAN.**

4 (a) PLAN.—

5 (1) IN GENERAL.—The Administrator shall de-
6 velop a 2-year implementation plan to further
7 incentivize the acceleration of the equipage rates of
8 certain NextGen avionics in the active commercial
9 and regional fleet of the national airspace system.

10 (2) CONTENTS.—The plan required under para-
11 graph(1) shall, at a minimum, evaluate and consider
12 recommendations to—

13 (A) provide for further implementation and
14 deployment of NextGen operational improve-
15 ments to incentivize universal equipage across
16 the active fleet for commercial and regional air-
17 craft;

18 (B) identify any remaining barriers for op-
19 erators to properly equip with certain NextGen
20 avionics, including any methods to address such
21 barriers;

22 (C) provide for the use of the best methods
23 to highlight and enhance the benefits realizable
24 by operators equipping with certain NextGen
25 avionics; and

1 (D) contain any equipage guidelines and
2 regulations the Administrator deems necessary
3 and appropriate.

4 (3) CONSULTATION.—In developing the plan
5 under paragraph (1), the Administrator shall consult
6 with representatives from—

7 (A) trade associations representing air car-
8 riers;

9 (B) trade associations representing avi-
10 onics manufacturers;

11 (C) labor organizations representing air
12 traffic controllers; and

13 (D) any other representatives the Adminis-
14 trator determines appropriate.

15 (b) SUBMISSION OF PLAN.—Not later than 1 year
16 after the date of enactment of this section, the Adminis-
17 trator shall consider the recommendations under sub-
18 section (a) and submit to the appropriate committees of
19 Congress the plan required under subsection (a).

20 (c) RULEMAKING.—Not later than 180 days after the
21 date on which the plan required under subsection (a) is
22 submitted to the appropriate committees of Congress
23 under subsection (b), the Administrator shall, if Adminis-
24 trator determined appropriate, initiate a rulemaking pro-

1 ceeding to address one or more of the recommendations
2 contained in the plan.

3 (d) DEFINITION.—In this section the term “certain
4 NextGen avionics” means those avionics and baseline ca-
5 pabilities as recommended in the Minimum Capabilities
6 List (MCL) Ad Hoc Team, NextGen Advisory Committee
7 (NAC) Task 19-1 Report completed in November 2020.

8 **SEC. 413. PERFORMANCE BASED NAVIGATION REPORT AND**
9 **UTILIZATION PLAN.**

10 (a) REPORT ON PERFORMANCE BASED NAVIGA-
11 TION.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of enactment of this section, the Adminis-
14 trator shall publish on the website of the FAA a
15 progress report on the utilization, implementation,
16 and operational benefits of performance based navi-
17 gation (in this section referred to as “PBN”) proce-
18 dures of the FAA within the national airspace sys-
19 tem.

20 (2) CONTENTS.—The report shall include, at a
21 minimum, a detailed implementation plan with re-
22 spect to the recommendations made by—

23 (A) the PBN Clarification Ad Hoc Team,
24 NextGen Advisory Committee (in this section

1 referred to as the “NAC”) Task 19-4 Report
2 completed in November 2020;

3 (B) the Final Report of the Major Air Car-
4 rier Performance Based Navigation (PBN) Way
5 Forward Workgroup for the FAA’s PBN Clari-
6 fication Tasking to the NAC dated June 2020;

7 (C) the NAC Subcommittee Update on Op-
8 portunities dated June 2020;

9 (D) the Barriers to Established on Re-
10 quired Navigation Performance Procedures
11 dated November 2019; and

12 (E) the FAA Reauthorization Act of 2018,
13 Section 547 Enhanced Air Traffic Services,
14 NAC Task 20-3 Report dated March 2021.

15 (b) UTILIZATION ACTION PLAN.—180 days after the
16 completion of the report under subsection (a), the Admin-
17 istrator shall, in consultation with representatives of air
18 traffic controllers, develop an action plan to utilize PBN
19 as a primary means of navigation to further reduce the
20 dependency on legacy systems within the national airspace
21 system.

22 (c) BRIEFING.—Not later than 1 year after the devel-
23 opment of the action plan under subsection (b), and annu-
24 ally thereafter, the Administrator shall submit to appro-
25 priate committees of Congress a report on the implemen-

1 tation of the action plan, including the utilization rate of
2 PBN as a primary means of navigation.

3 **SEC. 414. AIR TRAFFIC CONTROL FACILITY REALIGNMENT**
4 **STUDY.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this section, the Administrator shall
7 partner with a third party to conduct an Air Traffic Con-
8 trol Facility Realignment report to examine consolidating
9 or otherwise reorganizing air traffic control work facilities
10 and locations and airspace structure management.

11 (b) CONTENTS.—The report required by subsection
12 (a) shall do the following:

13 (1) Evaluate the potential efficiencies that may
14 result from a reorganization.

15 (2) Identify whether certain areas prone to con-
16 gestion or staff shortages would benefit from en-
17 hanced flexibilities.

18 (3) Recommend opportunities for integration of
19 separate facilities to create a more collaborative and
20 efficient traffic control environment.

21 (c) REPORT AND BRIEFING.—

22 (1) TO THE ADMINISTRATOR.—Not later than
23 September 30, 2025, the third party described in
24 subsection (a) shall submit to the Administrator a
25 report on the recommendations described in sub-

1 section (b)(3), and a copy of such report shall be
2 transmitted to the labor organization representing
3 air traffic controllers.

4 (2) TO CONGRESS.—Not later than 60 days
5 after receiving the recommendations described in
6 subsection (b)(3), the Administrator shall brief the
7 relevant Congressional committees on such rec-
8 ommendations, as well as the Administrator’s plan,
9 if any, to implement such recommendations.

10 **TITLE V—AVIATION**

11 **WORKFORCE**

12 **Subtitle A—Civil Aviation**

13 **Workforce**

14 **SEC. 501. AVIATION WORKFORCE DEVELOPMENT GRANTS.**

15 (a) IN GENERAL.—Section 625 of the FAA Reau-
16 thorization Act of 2018 (49 U.S.C. 40101 note) is amend-
17 ed—

18 (1) in subsection (a)—

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

21 (B) in paragraph (2), by striking the pe-
22 riod at the end and inserting “; and”; and

23 (C) by adding at the end the following new
24 paragraph:

1 “(3) a program to provide grants for eligible
2 projects to support the education and recruitment of
3 aviation manufacturing technical workers and the
4 development of the aviation manufacturing work-
5 force.”;

6 (2) in subsection (b)—

7 (A) in paragraph (1), by striking “2023”
8 each place it appears and inserting “2028”;

9 (B) by redesignating paragraph (2) as
10 paragraph (3);

11 (C) by inserting after paragraph (1) the
12 following new paragraph:

13 “(2) ADDITIONAL FUNDING.—In addition to
14 amounts available for grants pursuant to paragraph
15 (1), there is authorized to be appropriated—

16 “(A) \$10,000,000 for each of fiscal years
17 2024 through 2028 to provide grants under the
18 program established under subsection (a)(1);

19 “(B) \$10,000,000 for each of fiscal years
20 2024 through 2028 to provide grants under the
21 program established under subsection (a)(2);
22 and

23 “(C) \$10,000,000 for each of fiscal years
24 2024 through 2028 to provide grants under the

1 program established under subsection (a)(3).”;
2 and

3 (D) in paragraph (3), as redesignated by
4 subparagraph (B), by inserting “(or, in the case
5 of fiscal years 2024 through 2028,
6 \$1,000,000)” after “\$500,000”;

7 (3) in subsection (c)—

8 (A) in paragraph (1)(B), by inserting “, a
9 postsecondary vocational institution (as defined
10 in section 102 of the Higher Education Act of
11 1965 (20 U.S.C. 1002),” after “(20 U.S.C.
12 1001))”;

13 (B) in paragraph (2)(B), by inserting “, a
14 postsecondary vocational institution (as defined
15 in section 102 of the Higher Education Act of
16 1965 (20 U.S.C. 1002),” after “(20 U.S.C.
17 1001))”; and

18 (C) by adding at the end the following new
19 paragraph:

20 “(3) An application for a grant under the pro-
21 gram established under subsection (a)(3) shall be
22 submitted, in such form as the Secretary may speci-
23 fy, by—

24 “(A) a holder of a type or production cer-
25 tificate or similar authorization issued under

1 section 44704 of title 49, United States Code,
2 or a credible applicant for such a certificate as
3 determined by the Secretary;

4 “(B) an accredited institution of higher
5 education (as defined in section 101 of the
6 Higher Education Act of 1965 (20 U.S.C.
7 1001)), a postsecondary vocational institution
8 (as defined in section 102 of the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1002), or a high
10 school or secondary school (as defined in section
11 7801 of the Elementary and Secondary Edu-
12 cation Act of 1965 (20 U.S.C. 7801); and

13 “(C) a State or local governmental enti-
14 ty.”;

15 (4) by striking subsection (d) and inserting the
16 following:

17 “(d) ELIGIBLE PROJECTS.—For purposes of a pro-
18 gram established under subsection (a), an eligible project
19 is a project—

20 “(1) to create and deliver a program designed
21 to provide students with meaningful aviation edu-
22 cation that is designed to prepare the students to be-
23 come aircraft pilots, aerospace engineers, unmanned
24 aircraft systems operators, aviation maintenance
25 technical workers, or aviation manufacturing tech-

1 nical workers (as applicable to the relevant program
2 described in subsection (a));

3 “(2) to support the professional development of
4 teachers and other educators implementing a pro-
5 gram described in paragraph (1);

6 “(3) to establish new educational programs that
7 teach technical skills used by aircraft pilots, aero-
8 space engineers, unmanned aircraft systems opera-
9 tors, aviation maintenance technical workers, or
10 aviation manufacturing technical workers (as appli-
11 cable to the relevant program described in sub-
12 section (a)), including purchasing equipment, or to
13 improve existing such programs;

14 “(4) to establish scholarships or registered ap-
15 prenticeships for individuals pursuing employment
16 as aircraft pilots, aerospace engineers, unmanned
17 aircraft systems operators, aviation maintenance
18 technical workers, or aviation manufacturing tech-
19 nical workers (as applicable to the relevant program
20 described in subsection (a));

21 “(5) to support outreach about careers as air-
22 craft pilots, aerospace engineers, unmanned aircraft
23 systems operators, aviation maintenance technical
24 workers, or aviation manufacturing technical work-

1 (B) in paragraph (2), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following new
4 paragraph:

5 “(3) give priority to applicants who partner
6 with, or establish links between, secondary schools
7 and post-secondary schools and who work collabo-
8 ratively or participate in industry or sector partner-
9 ships.”; and

10 (6) by adding at the end the following new sub-
11 section:

12 “(f) CONSULTATION WITH THE SECRETARY OF EDU-
13 CATION.—The Secretary may consult with the Secretary
14 of Education in—

15 “(1) developing the design of the grant applica-
16 tion under this section;

17 “(2) reviewing and selecting applications for
18 grants for eligible projects under this section; and

19 “(3) establishing considerations regarding pro-
20 gram quality and measurement of student out-
21 comes.”.

22 (b) CONFORMING AMENDMENT.—Paragraph (4) of
23 section 48105 of title 49, United States Code, is amended
24 by striking “2023” and inserting “2028”.

1 (c) NATIONAL STRATEGIC PLAN FOR AVIATION
2 WORKFORCE DEVELOPMENT.—

3 (1) IN GENERAL.—Not later than 1 year after
4 the date of enactment of this section, the Adminis-
5 trator shall, to the extent practicable and in con-
6 sultation with other Federal agencies and private in-
7 dividuals, establish a national strategic plan for ad-
8 dressing projected shortages of aviation workers in
9 the aviation industry, including—

10 (A) any short-term, medium-term, and
11 long-term needs critical to the economy, na-
12 tional security, workforce readiness, environ-
13 mental concerns, and priorities of the United
14 States aviation sector, such as emergency readi-
15 ness and resilience; and

16 (B) any situation or condition that war-
17 rants special attention by the Federal Govern-
18 ment.

19 (2) REQUIREMENTS.—The national strategic
20 plan established under paragraph (1) shall—

21 (A) take into account the activities and ac-
22 complishments of all agencies in the executive
23 branch of the Federal Government that are re-
24 lated to carrying out such national strategic
25 plan; and

1 (B) include recommendations for legisla-
2 tion, regulations, and budget proposals to carry
3 out such national strategic plan.

4 **SEC. 502. WOMEN IN AVIATION ADVISORY COMMITTEE.**

5 (a) ESTABLISHMENT.—There is established within
6 the Department of Transportation the Women in Aviation
7 Advisory Committee (in this section referred to as the
8 “Committee”).

9 (b) MEMBERSHIP.—

10 (1) COMPOSITION.—

11 (A) IN GENERAL.—Subject to subpara-
12 graph (C), the Committee shall be composed of
13 up to 16 members appointed by the Secretary,
14 including representatives from the following:

15 (i) Passenger and cargo air carriers
16 operating under part 121 of title 14, Code
17 of Federal Regulations.

18 (ii) Aircraft manufacturers and aero-
19 space companies.

20 (iii) Nonprofit organizations within
21 the aviation industry, including at least 1
22 State aviation agency.

23 (iv) Airport operators and employees.

24 (v) Aviation business associations.

25 (vi) Engineering business associations.

1 (vii) United States Air Force Auxil-
2 iary, Civil Air Patrol.

3 (viii) Institutions of higher education
4 and aviation trade schools.

5 (ix) The Department of Labor.

6 (x) The Department of Education.

7 (xi) Nonprofit labor organizations rep-
8 resenting aviation workers, including orga-
9 nizations representing aviation mainte-
10 nance workers and pilots for cargo and
11 passenger air carriers operating under part
12 121 of title 14, Code of Federal Regula-
13 tions.

14 (xii) The FAA.

15 (B) DATE.—The appointments described
16 in subparagraph (A) shall be made not later
17 than 9 months after the date of enactment of
18 this section.

19 (C) EX OFFICIO MEMBERS.—The Sec-
20 retary shall appoint 1 member from the Office
21 of Civil Rights of the FAA to serve in an ex
22 officio capacity.

23 (2) SUBCOMMITTEES.—The Committee may es-
24 tablish subcommittees as the Committee determines
25 appropriate.

1 (3) CHAIR; SUBCOMMITTEE CHAIRS.—The Com-
2 mittee—

3 (A) shall select a Chair from among the
4 members of the Committee; and

5 (B) may select subcommittee chairs from
6 among the members of the Committee, as the
7 Committee determines appropriate.

8 (4) TERM OF SERVICE.—

9 (A) IN GENERAL.—Each member of the
10 Committee shall serve until the termination
11 date described in subsection (e).

12 (B) SUCCESSORS.—

13 (i) DEATH OR RESIGNATION.—If a
14 member of the Committee dies or resigns
15 during their term of service, the Secretary
16 shall designate a successor for the unex-
17 pired term of such member.

18 (ii) EXPIRED TERM.—Any member of
19 the Committee whose term of office has ex-
20 pired shall continue to serve as a member
21 until their successor is appointed by the
22 Secretary.

23 (5) ADMINISTRATIVE SUPPORT.—The Secretary
24 shall furnish the Committee logistical and adminis-

1 trative support to enable the Committee to perform
2 its duties.

3 (6) COMPENSATION.—Each member of the
4 Committee shall serve without compensation.

5 (c) DUTIES.—

6 (1) ADVISORY ROLE.—The Committee—

7 (A) shall advise the Secretary and the Ad-
8 ministrator on matters related to promoting
9 women in the aviation industry, including edu-
10 cation, training, recruitment, retention, and ca-
11 reer advancement;

12 (B) shall review and update the rec-
13 ommendations directed to FAA and non-FAA
14 entities produced by the Advisory Board created
15 under section 612 of the FAA Reauthorization
16 Act of 2018 (49 U.S.C. 40101 note) and rec-
17 ommend how to engage with those entities to
18 improve the implementation of such rec-
19 ommendations;

20 (C) shall coordinate with the Department
21 of Transportation Office of Civil Rights and the
22 FAA’s Federal Women’s Program to not dupli-
23 cate the objectives of such program; and

1 (D) shall not duplicate the objectives of the
2 Air Carrier Training Aviation Rulemaking
3 Committee.

4 (2) REPORTS.—

5 (A) ANNUAL REPORT.—Not later than Oc-
6 tober 31 of the first calendar year beginning
7 after the date on which the Committee is estab-
8 lished under subsection (a), and annually there-
9 after, the Committee shall submit to Congress,
10 the Secretary, and the Administrator a report
11 that contains a detailed statement of the Com-
12 mittee's recommendations under subparagraphs
13 (A) and (B) of paragraph (1), together with the
14 recommendations of the Committee for such
15 legislation and administrative actions as the
16 Committee considers appropriate.

17 (B) ADDITIONAL REPORTS.—The Com-
18 mittee may submit to Congress, the Secretary,
19 and the Administrator additional reports and
20 recommendations related to education, training,
21 recruiting, retaining, and advancing women in
22 the aviation industry as the Committee deter-
23 mines appropriate.

24 (d) REVIEW OF RECOMMENDATIONS.—Not later than
25 60 days after the date on which the Secretary receives a

1 report from the Committee under subsection (c)(2), the
2 Secretary shall submit to Congress a report that indi-
3 cates—

4 (1) which recommendations of the Committee
5 that the Secretary has determined the Department
6 of Transportation is able to address and provide an
7 update regarding the implementation of such rec-
8 ommendations on an annual basis; and

9 (2) which such recommendations the Secretary
10 is not able to implement (including any rec-
11 ommendations for legislation) and a rationale for
12 that determination.

13 (e) SUNSET.—The Committee shall terminate on
14 September 30, 2028.

15 **SEC. 503. STUDY OF HIGH SCHOOL AVIATION MAINTENANCE TRAINING PROGRAMS.**

16 (a) STUDY.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of enactment of this section, the
19 Comptroller General shall initiate a study to assess
20 the aviation maintenance technician workforce pipe-
21 line in the United States, as well as any barriers for
22 students enrolled in high school aviation mainte-
23 nance programs with respect to—
24

1 (A) entering airframe and powerplant me-
2 chanic programs; or

3 (B) accessing pathways to mechanic cer-
4 tification.

5 (2) CONTENTS.—The study required under
6 paragraph (1) shall assess the following:

7 (A) The number of high school aviation
8 maintenance programs in the United States and
9 the typical career outcomes for graduates of
10 such programs.

11 (B) The extent to which high school avia-
12 tion maintenance programs offer curricula that
13 align with FAA mechanic airman certification
14 standards.

15 (C) The opportunities afforded to students
16 enrolled in alternative or high school mainte-
17 nance programs partnered with aviation mainte-
18 nance technician schools (as described in sec-
19 tion 147.15 of title 14, Code of Federal Regula-
20 tions).

21 (D) Alternate paths to a certificated avia-
22 tion maintenance technician school for the ful-
23 fillment of the experience requirements de-
24 scribed in section 65.75(c) of such title 14.

1 (E) Any barriers to entry associated
2 with—

3 (i) developing and attaining the
4 knowledge and experience requirements de-
5 scribed in section 65.75 and section 147.31
6 of such title 14; or

7 (ii) access to the mechanic certifi-
8 cation process.

9 (F) The level of engagement between the
10 FAA and high school aviation maintenance pro-
11 grams with respect to developing curricula that
12 assist with building foundational knowledge and
13 skills necessary to attain FAA mechanic certifi-
14 cations and associated ratings.

15 (G) Any barriers to accessing the general
16 knowledge test described in section 65.71(a)(3)
17 of such title 14.

18 (H) Whether allowing mechanic certificate
19 applicants to take the general knowledge test
20 prior to such applicants meeting the relevant
21 experience requirements would present a safety
22 risk.

23 (I) Whether regulatory changes could re-
24 duce any barriers described in this paragraph.

1 (b) REPORT.—Not later than 2 years after the date
2 of enactment of this section, the Comptroller General shall
3 provide to the Administrator and the appropriate commit-
4 tees of Congress a report and briefing on the findings of
5 the study conducted under subsection (a), together with
6 recommendations for such legislative and administrative
7 action as the Comptroller General deems appropriate.

8 **SEC. 504. MILITARY AVIATION MAINTENANCE TECHNI-**
9 **CIANS RULE.**

10 (a) STREAMLINED CERTIFICATION FOR ELIGIBLE
11 MILITARY MAINTENANCE TECHNICIANS.—Not later than
12 2 years after the date of enactment of this section, the
13 Administrator shall issue a final rule that revises part 65
14 of title 14, Code of Federal Regulations, to—

15 (1) create a military mechanic written com-
16 petency test; and

17 (2) develop, as necessary, a relevant Airman
18 Certification Standard to qualify eligible military
19 maintenance technicians for a mechanic certificate
20 with airframe or powerplant ratings; and

21 (3) allow a certificate of eligibility from the
22 Joint Services Aviation Maintenance Technician Cer-
23 tification Council (in this section referred to as the
24 “JSAMTCC”) evidencing completion of a training
25 curriculum for any rating sought to serve as a sub-

1 stitute to fulfill the requirement under such part 65
2 for oral and practical tests administered by a Des-
3 ignated Mechanic Examiner (in this section referred
4 to as a “DME”) for eligible military maintenance
5 technicians.

6 (b) AERONAUTICAL KNOWLEDGE SUBJECT AREAS.—

7 (1) IN GENERAL.—The military mechanic writ-
8 ten competency test and Airman Certification Stand-
9 ard described in subsection (a) shall focus on the
10 aeronautical knowledge subject areas contained in
11 the Aviation Mechanic General, Airframe, and Pow-
12 erplant Airman Certification Standards, as appro-
13 priate to the rating sought.

14 (2) IDENTIFICATION OF SUBJECT AREAS.—The
15 aeronautical knowledge subject areas shall be identi-
16 fied and recommended to the Administrator, in con-
17 sultation with industry stakeholders, through the
18 FAA Aviation Rulemaking Advisory Committee Air-
19 man Certification System Working Group.

20 (c) EXPANSION OF TESTING LOCATIONS.—Not later
21 than 1 year after the date of enactment of this section,
22 the Administrator, in consultation with the Secretary of
23 Defense and the Secretary of Homeland Security, shall de-
24 termine whether an expansion of the number of active
25 testing locations operated within military installation test-

1 ing centers would increase access to testing, as well as how
2 to implement such expansion.

3 (d) OUTREACH AND AWARENESS.—Not later than 1
4 year after the date of enactment of this section, the Ad-
5 ministrator, in coordination with the Secretary of Defense,
6 the Secretary of Veterans Affairs, and the Secretary of
7 Homeland Security, shall develop a plan to increase out-
8 reach and awareness regarding—

9 (1) the services made available by the
10 JSAMTCC; and

11 (2) the military mechanic written competency
12 test established under subsection (a).

13 (e) REPORT.—Not later than 180 days after the date
14 on which the Administrator issues the final rule under
15 subsection (a), the Administrator shall submit to the Com-
16 mittee on Commerce, Science, and Transportation and the
17 Committee on Veterans' Affairs of the Senate and the
18 Committee on Transportation and Infrastructure and the
19 Committee on Veterans' Affairs of the House of Rep-
20 resentatives a report on the activities carried out under
21 this section, together with recommendations for such legis-
22 lative or administrative action as the Administrator deter-
23 mines appropriate.

24 (f) ELIGIBLE MILITARY MAINTENANCE TECHNICIAN
25 DEFINED.—For purposes of this section, the term “eligi-

1 ble military maintenance technician” means an individual
2 who is a current or former maintenance technician who
3 was honorably discharged or has retired from the United
4 States Armed Forces (as defined in section 101 of title
5 10, United States Code) and meets the following require-
6 ments:

7 (1) The individual presents an official United
8 States Armed Forces record confirming that the in-
9 dividual is or was a military aviation maintenance
10 technician, holding an appropriate Military Occupa-
11 tional Specialty (MOS) Code, as determined by the
12 Administrator, in coordination with the Secretary of
13 Defense.

14 (2) The individual presents documentary evi-
15 dence of experience in accordance with the require-
16 ments under section 65.77 of title 14, Code of Fed-
17 eral Regulations.

18 **SEC. 505. PROHIBITION OF REMOTE DISPATCHING.**

19 (a) AMENDMENTS TO PROHIBITION.—

20 (1) IN GENERAL.—Section 44711(a) of title 49,
21 United States Code, is amended—

22 (A) in paragraph (9), by striking “or”
23 after the semicolon;

24 (B) by redesignating paragraph (10) as
25 paragraph (11); and

1 (C) by inserting after paragraph (9) the
2 following new paragraph:

3 “(10) work as an aircraft dispatcher outside of
4 a physical location designated as a dispatching cen-
5 ter or flight following center of an air carrier; or”.

6 (2) REGULATIONS.—Not later than 1 year after
7 the date of enactment of this section, the Adminis-
8 trator shall promulgate regulations requiring persons
9 and air carriers to comply with paragraph (10) of
10 section 44711(a) of title 49, United States Code (as
11 added by paragraph (1)).

12 (3) EFFECTIVE DATE.—The amendments made
13 by subsection (a) shall take effect on the date that
14 is 1 year after the date of enactment of this section,
15 without regard to whether the regulations required
16 by paragraph (2) have been promulgated as of that
17 date.

18 (b) AIRCRAFT DISPATCHING.—

19 (1) IN GENERAL.—Chapter 447 of title 49,
20 United States Code, as amended by section 304(a),
21 is amended by adding at the end the following new
22 section:

23 **“§ 44746. Aircraft dispatching**

24 “(a) IN GENERAL.—Each air carrier shall establish
25 and maintain sufficient dispatch centers and flight fol-

1 lowing centers to maintain operational control of each
2 flight of the air carrier at all times.

3 “(b) REQUIREMENTS.—An air carrier shall ensure
4 that each dispatch center and flight following center of
5 the air carrier—

6 “(1) has a sufficient number of aircraft dis-
7 patchers on duty at the dispatch center or flight fol-
8 lowing center to ensure proper operational control of
9 each flight of the air carrier at all times;

10 “(2) has the necessary equipment, in good re-
11 pair, to maintain proper operational control of each
12 flight of the air carrier at all times; and

13 “(3) includes the presence of physical security
14 and cybersecurity protections to prevent unauthor-
15 ized access to the dispatch center or flight following
16 center or to the operations of either such center.

17 “(c) PROHIBITION.—

18 “(1) IN GENERAL.—Subject to paragraph (2),
19 an air carrier may not dispatch aircraft from any lo-
20 cation other than the dispatch center or flight fol-
21 lowing center of the air carrier.

22 “(2) EMERGENCY AUTHORITY.—In the event of
23 an emergency, an air carrier may dispatch aircraft
24 from a location other than the dispatch center or
25 flight following center of the air carrier for a brief

1 period of time, but not to exceed a period of 24 con-
2 secutive hours per location.”.

3 (2) CLERICAL AMENDMENT.—The analysis for
4 chapter 447 of such title, as amended by section
5 304(b), is amended by inserting after the item relat-
6 ing to section 44744 the following:

“44746. Aircraft dispatching.”.

7 **SEC. 506. EMPLOYEE ASSAULT PREVENTION AND RE-**
8 **SPONSE PLAN STANDARDS AND BEST PRAC-**
9 **TICES.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that:

12 (1) Each air carrier operating under part 121
13 of title 14, Code of Federal Regulations, shall sub-
14 mit to the Administrator an Employee Assault Pre-
15 vention and Response Plan pursuant to section 551
16 of the FAA Reauthorization Act of 2018 (49 U.S.C.
17 44903 note).

18 (2) Each such air carrier should have in place
19 and deploy an Employee Assault Prevention and Re-
20 sponse Plan to facilitate appropriate protocols,
21 standards, and training to equip employees with best
22 practices and the experience necessary to respond ef-
23 fectively to hostile situations and disruptive behavior
24 and maintain a safe traveling experience.

1 (b) REQUIRED BRIEFING.—Section 551 of the FAA
2 Reauthorization Act of 2018 (49 U.S.C. 44903 note) is
3 amended by adding at the end the following new sub-
4 section:

5 “(f) BRIEFING TO CONGRESS.—Not later than 90
6 days after the date of enactment of this subsection, the
7 Administrator of the Federal Aviation Administration
8 shall provide to the appropriate committees of Congress
9 a briefing on the Employee Assault Prevention and Re-
10 sponse Plan submitted by each air carrier pursuant to this
11 section.”.

12 **SEC. 507. CREWMEMBER SELF-DEFENSE TRAINING.**

13 Section 44918(a) of title 49, United States Code, is
14 amended—

15 (1) in paragraph (1), by inserting “and unruly
16 passenger behavior” before the period at the end;

17 (2) in paragraph (2)—

18 (A) by striking subparagraph (A) and in-
19 sserting the following:

20 “(A) Recognize suspicious behavior and ac-
21 tivities and determine the seriousness of any oc-
22 currence.”;

23 (B) in subparagraph (D), by inserting “,
24 including training to defend against the use of

1 edged or contact weapons” before the period at
2 the end;

3 (C) by striking subparagraph (H) and in-
4 serting the following:

5 “(H) De-escalation training based on rec-
6 ommendations issued by the Air Carrier Train-
7 ing Aviation Rulemaking Committee.”;

8 (D) by redesignating subparagraphs (I)
9 and (J) as subparagraphs (J) and (K), respec-
10 tively; and

11 (E) by inserting after subparagraph (H)
12 the following:

13 “(I) Methods to subdue and restrain an ac-
14 tive attacker.”;

15 (3) by striking paragraph (4) and inserting the
16 following:

17 “(4) MINIMUM STANDARDS.—Not later than
18 180 days after the date of enactment of the FAA
19 Reauthorization Act of 2023, the Administrator of
20 the Transportation Security Administration, in con-
21 sultation with the Federal Air Marshal Service and
22 the Aviation Security Advisory Committee, shall es-
23 tablish minimum standards for—

24 “(A) the training provided under this sub-
25 section and for recurrent training; and

1 “(B) the individuals or entities providing
2 such training.”;

3 (4) in paragraph (6)—

4 (A) in the first sentence—

5 (i) by inserting “and the Federal Air
6 Marshal Service” after “consultation with
7 the Administrator”;

8 (ii) by striking “and periodically
9 shall” and inserting “and shall periodi-
10 cally”; and

11 (iii) by inserting “based on changes in
12 the potential or actual threat conditions”
13 before the period at the end; and

14 (B) in the second sentence, by inserting “,
15 including self-defense training expertise and ex-
16 perience” before the period at the end; and

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

18 “(8) AIR CARRIER ACCOMMODATION.—An air
19 carrier with a crew member participating in the
20 training program under this subsection shall provide
21 a process through which each such crew member
22 may obtain reasonable accommodations.”.

23 **SEC. 508. IMPROVING APRON SAFETY.**

24 (a) STUDY AND REPORT ON ENGINE INGESTION
25 ZONE AND JET BLAST ZONE ACCIDENTS.—

1 (1) STUDY.—The Administrator shall conduct a
2 study on ways to minimize or eliminate engine inges-
3 tion zone and jet blast zone accidents, including
4 through—

5 (A) improving markings on the apron to
6 clearly define and graphically indicate the en-
7 gine ingestion zones and envelope of safety for
8 the variety of aircraft that may park at the
9 same gate of the airport;

10 (B) incorporating markings on aircraft to
11 indicate the engine inlet danger zone, using
12 hazard warning stripes, decals, or other meas-
13 ures;

14 (C) limiting ground service personnel ac-
15 cess to an aircraft until the engines of the air-
16 craft are no longer running, the beacon on top
17 of the aircraft has been turned off, the indi-
18 vidual blades of the engine fan can be observed,
19 and there is a notification from the flight deck
20 crew confirming the engines are off (including
21 the time for cool down, particularly for engines
22 with low ground clearance);

23 (D) improving aircraft engine design to
24 prevent or minimize engine ingestion, such as

1 the use of stationary inlet guide vanes or engine
2 guarding;

3 (E) improving the use of or requirements
4 for Auxiliary Power Units (APUs) or electrical
5 systems maintenance or incorporating changes
6 to other systems or apron operation procedures
7 to eliminate or minimize the length of time an
8 aircraft engine runs (or be permitted to run)
9 while the aircraft is at the gate or stopped on
10 the ground; and

11 (F) improving communication devices and
12 requirements for operable radios and headsets.

13 (2) REPORT.—Not later than 1 year after the
14 date of enactment of this section, the Administrator
15 shall submit to the appropriate committees of Con-
16 gress a report on the study conducted under sub-
17 section (a), together with recommendations for such
18 legislative or administrative action as determined ap-
19 propriate by the Administrator.

20 (b) IMPROVED TRAINING.—

21 (1) IN GENERAL.—Not later than 1 year after
22 the date of enactment of this section, the Adminis-
23 trator may, as appropriate, develop and publish
24 training and related educational materials about air-
25 craft engine ingestion and jet blast hazards for

1 ground crews (including supervisory employees) that
2 includes information on—

3 (A) the specific dangers and consequences
4 of entering engine ingestion or jet blast zones;

5 (B) proper protocols to avoid entering an
6 engine ingestion or jet blast zone; and

7 (C) on-the-job, instructor-led training to
8 physically demonstrate the engine ingestion
9 zone boundaries and jet blast zones for each
10 kind of aircraft the ground crew may encounter.

11 (2) TRAINING REGULATIONS.—Not later than
12 180 days after the publication of the training and
13 related educational materials described in paragraph
14 (1), the Administrator may promulgate regulations
15 to require any new, transferred, or current (as of the
16 date of enactment of this section) employee of the
17 FAA to receive the relevant engine ingestion and jet
18 blast zone hazard training before such employee may
19 perform work on the apron.

20 **SEC. 509. AVIATION MEDICAL INNOVATION AND MOD-**
21 **ERNIZATION WORKING GROUP.**

22 (a) IN GENERAL.—Not later than 120 days after the
23 date of enactment of this section, the Administrator shall
24 establish the Aviation Medical Innovation and Moderniza-
25 tion Working Group (in this section referred to as the

1 “Working Group”) and appoint members of the Working
2 Group in accordance with subsection (b).

3 (b) MEMBERSHIP.—

4 (1) NUMBER.—The members of the Working
5 Group shall not exceed 20 individuals.

6 (2) COMPOSITION.—

7 (A) FEDERAL AIR SURGEON.—The Federal
8 Air Surgeon shall be a member of the Working
9 Group and shall be the Chair of the Working
10 Group.

11 (B) SENIOR AVIATION MEDICAL EXAM-
12 INERS.—In addition to the Federal Air Sur-
13 geon, at least 8 members of the Working Group
14 shall be individuals who are Senior Aviation
15 Medical Examiners.

16 (C) OTHER MEMBERS.—In addition to the
17 Federal Air Surgeon and the members ap-
18 pointed under subparagraph (B), the remaining
19 members shall be licensed medical physicians
20 with substantial expertise in—

21 (i) aerospace medicine;

22 (ii) psychological medicine;

23 (iii) neurological medicine;

24 (iv) cardiovascular medicine; or

25 (v) internal medicine.

1 (D) PREFERENCE IN APPOINTMENTS.—

2 The Administrator shall give preference to ap-
3 pointing members of the Working Group who
4 are Aviation Medical Examiners or licensed
5 medical physicians who have demonstrated re-
6 search and expertise in aviation medical issues.

7 (E) USE OF SUBGROUPS.—The Working
8 Group Administrator may use subgroups to de-
9 velop the recommendations under subsection
10 (c).

11 (c) RECOMMENDATIONS.—The Working Group shall
12 develop a report that includes recommendations with re-
13 spect to the following areas:

14 (1) Evaluation of the conditions an Aviation
15 Medical Examiner can issue (CACI).

16 (2) Improvements and reforms to the Special
17 Issuance process, including whether, after initial
18 medical certification by the FAA, renewals can be
19 based on a medical evaluation and treatment plan by
20 a pilot's treating medical specialist with concurrence
21 from the pilot's Aviation Medical Examiner.

22 (3) Development of an online medical portal ad-
23 ministered by the FAA that—

24 (A) adheres to cybersecurity protections
25 and protocols;

1 (B) authorizes Aviation Medical Exam-
2 iners, pilots, or their designee, to securely share
3 medical records;

4 (C) provides timely updates for a pilot's
5 medical application and improves return to fly-
6 ing timelines;

7 (D) provides pilots with the ability to sub-
8 mit additional information requested from the
9 FAA;

10 (E) includes the method to contact the re-
11 viewing office; and

12 (F) such other requirements as the Work-
13 ing Group may recommend.

14 (4) The use of technologies to address forms of
15 red-green color blindness for pilots.

16 (5) Improvements to Attention-Deficit Hyper-
17 activity Disorder and Attention Deficit Disorder pro-
18 tocols.

19 (6) Improvements to neurology protocols, spe-
20 cifically, stroke, head injury, and known loss of con-
21 sciousness.

22 (7) Improvements to FAA mental health proto-
23 cols, including, but not limited to, mental health
24 conditions such as depression and anxiety, the use of

1 medications for treating mental health conditions,
2 and neurocognitive testing rules and applicability.

3 (d) REPORT.—Not later than 1 year after the date
4 on which the Working Group is established—

5 (1) the Working Group shall submit the report
6 developed in accordance with subsection (c) to the
7 Administrator, along with recommendations for such
8 legislation and administrative action as the Working
9 Group determines appropriate; and

10 (2) the Administrator shall submit such report
11 and recommendations to the appropriate committees
12 of Congress.

13 (e) ACTIONS BY THE ADMINISTRATOR.—The Admin-
14 istrator may take such action as the Administrator deter-
15 mines appropriate to implement the recommendations in
16 the report under submitted under subsection (d).

17 (f) EXEMPTION FROM THE FEDERAL ADVISORY
18 COMMITTEE ACT.—Chapter 10 of title 5, United States
19 Code, shall not apply to the Working Group.

20 (g) SUNSET.—The Working Group shall terminate on
21 the date on which the Working Group submits the report
22 required by subsection (d).

23 **SEC. 510. AIRMAN CERTIFICATION STANDARDS.**

24 (a) IN GENERAL.—The Administrator shall use the
25 Aviation Rulemaking Advisory Committee Airman Certifi-

1 cation System Working Group (in this section referred to
2 as the “Working Group”) to obtain industry recommenda-
3 tions on maintaining and updating Airman Certification
4 Standards.

5 (b) DUTIES.—In carrying out its activities, the Work-
6 ing Group shall—

7 (1) ensure that testing remains correlated and
8 corresponds to current regulations, procedures,
9 equipment, aviation infrastructure, and safety
10 trends;

11 (2) work with industry to solicit recommenda-
12 tions on airman certification and testing, including
13 new, and revisions to existing, Airman Certification
14 Standards guidance documents and airman tests;
15 and

16 (3) ensure other tasks carried out by the Work-
17 ing Group are addressed and completed in a timely
18 and efficient manner.

19 **Subtitle B—FAA Workforce**

20 **SEC. 521. AIR TRAFFIC CONTROL STAFFING STANDARDS.**

21 (a) FAA AIR TRAFFIC CONTROL STAFFING STAND-
22 ARDS.—The Administrator shall complete the require-
23 ments of subsection (b) and implement revisions to the
24 FAA Certified Professional Controller (in this section re-
25 ferred to as “CPC”) operational staffing targets, in con-

1 sultation with appropriate stakeholders including the ex-
2 clusive bargaining representative of air traffic control spe-
3 cialists of the FAA certified under section 7111 of title
4 5, United States Code, by September 30, 2024.

5 (b) NATIONAL ACADEMY OF SCIENCES STUDY.—

6 (1) STUDY.—Not later than 30 days after the
7 date of enactment of this section, the Administrator
8 shall enter into appropriate arrangements with the
9 National Academies of Sciences, Engineering, and
10 Medicine (in this subsection referred to as the “Na-
11 tional Academies”) under which the National Acad-
12 emies will conduct a study of the methodology used
13 by the Collaborative Resource Workgroup (in this
14 subsection referred to as “CRWG”) to determine
15 CPC operational staffing targets needed to meet fa-
16 cility operational, statutory, and contractual require-
17 ments, including resources to develop, evaluate, and
18 implement processes and initiatives affecting the na-
19 tional airspace system.

20 (2) CONTENTS.—The study required by para-
21 graph (1) shall include the following elements:

22 (A) A review of similarities and discrep-
23 ancies between methodologies used to develop
24 the CRWG CPC operational staffing targets
25 and the staffing targets developed by the FAA

1 as reflected by the staffing standards used in
2 the 2023 Controller Workforce Plan.

3 (B) An examination of the discrepancies
4 between the CRWG CPC staffing targets and
5 the FAA-developed CPC staffing standards
6 used in the 2023 Controller Workforce Plan
7 that contribute to a significant divergence in
8 operational staffing headcounts (including with
9 respect to CPCs, CPCs-in-training at new facili-
10 ties, and trainees), CPC staffing targets, and
11 staffing needs for air traffic controllers between
12 fiscal year 2027 and fiscal year 2032 to ensure
13 the safe and efficient operation of the national
14 airspace system.

15 (C) An evaluation of—

16 (i) air traffic in the airspace of each
17 air traffic control facility operated by the
18 FAA;

19 (ii) air traffic controller position utili-
20 zation;

21 (iii) attrition rates at each air traffic
22 control facility operated by the FAA; and

23 (iv) the time needed to meet facility
24 operational, statutory, and contractual re-
25 quirements, including resources to develop,

1 evaluate, and implement processes and ini-
2 tiatives affecting the national airspace sys-
3 tem.

4 (D) For each air traffic control facility op-
5 erated by the FAA, a description of—

6 (i) the current CPC staffing levels;

7 (ii) the operational staffing targets for
8 CPCs;

9 (iii) the anticipated CPC attrition for
10 each of the next 3 years; and

11 (iv) the number of CPC trainees.

12 (E) An examination of the FAA's current
13 and estimated budgets and funding needed to
14 implement the CRWG CPC operational staffing
15 targets and needs in comparison to such fund-
16 ing needed to implement the staffing standards
17 developed by the FAA as reflected in the 2023
18 Controller Workforce Plan.

19 (F) An analysis of the recommendations
20 included in Transportation Research Board
21 Special Report 314, titled "The Federal Avia-
22 tion Administration's Approach for Determining
23 Future Air Traffic Controller Staffing Needs"
24 that have not yet been addressed or imple-
25 mented by the Administrator.

1 (G) Recommendations for further action
2 by the Administrator, as appropriate, to—

3 (i) address operational staffing re-
4 quirements to meet facility operational,
5 statutory, and contractual requirements;
6 and

7 (ii) provide fulsome air traffic con-
8 troller staffing to ensure the safe and effi-
9 cient operation of the national airspace
10 system, including the integration of new
11 users, technologies, and procedures.

12 (3) CONSULTATION.—In conducting the study
13 required by paragraph (1), the National Academies
14 shall consult with—

15 (A) Federal Government and industry rep-
16 resentatives;

17 (B) the exclusive bargaining representative
18 of air traffic control specialists of the FAA cer-
19 tified under section 7111 of title 5, United
20 States Code; and

21 (C) other parties determined appropriate
22 by the National Academies.

23 (4) REPORTS.—

24 (A) TO THE ADMINISTRATOR.—Not later
25 than 180 days after the date of enactment of

1 this section, the National Academies shall sub-
2 mit to the Administrator a report on the results
3 of the study required by paragraph (1), to-
4 gether with recommendations determined ap-
5 propriate by the National Academies.

6 (B) TO CONGRESS.—Not later than 180
7 days after the date on which the National Acad-
8 emies submits the report under subparagraph
9 (A), the Administrator shall submit to the ap-
10 propriate committees of Congress a report de-
11 scribing—

12 (i) the results of the study required by
13 paragraph (1);

14 (ii) the report submitted by the Na-
15 tional Academies, including the rec-
16 ommendations of the National Academies;
17 and

18 (iii) the Administrator's implementa-
19 tion action required by subsection (a).

20 (e) REVISIONS TO THE CONTROLLER WORKFORCE
21 PLAN.—Section 44506(e) of title 49, United States Code
22 is amended—

23 (1) in paragraph (1)—

1 (A) by inserting “Collaborative Resource
2 Workgroup (CRWG)” before “staffing stand-
3 ards”; and

4 (B) by striking “the number of air traffic
5 controllers needed” and inserting “the number
6 of fully certified air traffic controllers needed”;

7 (2) by redesignating paragraphs (2) and (3) as
8 paragraphs (3) and (4), respectively; and

9 (3) by adding after paragraph (1) the following
10 new paragraph:

11 “(2) for each air traffic control facility operated
12 by the Federal Aviation Administration—

13 “(A) the current certified professional con-
14 troller staffing levels;

15 “(B) the Collaborative Resource
16 Workgroup (CRWG) operational staffing tar-
17 gets for certified professional controllers;

18 “(C) the anticipated certified professional
19 controller attrition for each of the next 3 years;
20 and

21 “(D) the number of certified professional
22 controller trainees;”.

23 (d) EFFECTIVE DATE.—The amendments made by
24 subsection (c) shall take effect and apply to any reports
25 submitted pursuant to section 44506(e) of title 49, United

1 States Code, for each Controller Workforce Plan sub-
2 mitted after September 30, 2024.

3 **SEC. 522. FAA WORKFORCE REVIEW AUDIT.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of enactment of this section, the Inspector General
6 of the Department of Transportation shall initiate an
7 audit of any FAA workforce plans related to aviation safe-
8 ty completed during the past 5 fiscal years.

9 (b) CONTENTS.—In conducting the audit under sub-
10 section (a), the Inspector General shall—

11 (1) identify whether any safety-critical positions
12 have not been reviewed within the timeframe speci-
13 fied in subsection (a);

14 (2) review FAA workforce gaps in safety-critical
15 and senior positions, including the average vacancy
16 period of such positions during the latest fiscal year;

17 (3) review whether existing FAA workforce de-
18 velopment programs are producing intended results,
19 such as increased recruitment and retention of agen-
20 cy personnel; and

21 (4) evaluate the extent to which the FAA
22 leverages its direct hire authority to recruit subject
23 matter experts and other technical personnel to fill
24 key senior and technical positions.

25 (c) REPORT AND RECOMMENDATIONS.—

1 (1) INSPECTOR GENERAL REPORT.—Not later
2 than 1 year after the date of enactment of this sec-
3 tion, the Inspector General shall submit to the Ad-
4 ministrator and the appropriate committees of Con-
5 gress a report on the results of the audit conducted
6 under subsection (a), together with recommendations
7 for such legislative and administrative action as the
8 Inspector General determines appropriate.

9 (2) CONGRESSIONAL BRIEFING.—Not later than
10 90 days after receiving the report under paragraph
11 (1), the Administrator shall provide a briefing to ap-
12 propriate committees of Congress on—

13 (A) the Administrator’s response to the
14 recommendations of the Inspector General con-
15 tained in such report; and

16 (B) any plans of the Administrator for the
17 implementation of such recommendations.

18 **SEC. 523. DIRECT HIRE AUTHORITY UTILIZATION.**

19 (a) IN GENERAL.—Section 40122 of title 49, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 “(k) DIRECT HIRE AUTHORITY.—The Administrator
23 of the Federal Aviation Administration shall utilize exist-
24 ing direct hire authority to expedite the hiring process and
25 hire individuals on a non-competitive basis for safety crit-

1 ical and safety technical positions related to aircraft cer-
2 tification and aviation safety more broadly to maintain the
3 gold standard of aviation safety and, as necessary, fulfill
4 any gaps identified in workforce reviews at the Federal
5 Aviation Administration.”.

6 (b) CONGRESSIONAL BRIEFING.—Not later than 180
7 days after the date of enactment of this section, and annu-
8 ally thereafter through 2028, the Administrator shall brief
9 the appropriate committees of Congress on the status of—

10 (1) utilization of the direct hire authority de-
11 scribed subsection (k) of such section 40122, as
12 added subsection (a); and

13 (2) the number of employees hired under such
14 authority, the relevant line of business to which such
15 employees were hired, and the occupation type of the
16 positions filled.

17 **SEC. 524. STAFFING MODEL FOR AVIATION SAFETY INSPEC-**
18 **TORS.**

19 (a) IN GENERAL.—Not later than October 1, 2024,
20 the Administrator shall review and revise as necessary the
21 staffing model for aviation safety inspectors.

22 (b) REQUIREMENTS.—

23 (1) CONSIDERATION OF PRIOR STUDIES AND
24 REPORTS.—In revising the model, the Administrator

1 shall take into consideration the recommendations
2 outlined in the following:

3 (A) The 2006 report released by the Na-
4 tional Research Council entitled “Staffing
5 Standards for Aviation Safety Inspectors”.

6 (B) The 2007 study released by the Na-
7 tional Academy of Sciences entitled “Staffing
8 Standards for Aviation Safety Inspectors”.

9 (C) The 2013 report released by Grant
10 Thornton LLP, entitled “ASTARS Gap Anal-
11 ysis Study: Comparison of the AVS Staffing
12 Model for Aviation Safety Inspectors to the Na-
13 tional Academy of Sciences’ Recommendations
14 Final Report”.

15 (D) The 2021 report released by the In-
16 spector General of the Department of Trans-
17 portation entitled “FAA Can Increase Its In-
18 spector Staffing Model’s Effectiveness by Im-
19 plementing System Improvements and Maxi-
20 mizing Its Capabilities”.

21 (E) The FAA Fiscal Year 2023 Aviation
22 Safety Workforce Plan conducted to satisfy the
23 requirements of section 104 of the Aircraft Cer-
24 tification, Safety, and Accountability Act, as en-

1 acted in the Consolidated Appropriations Act,
2 2021 (49 U.S.C. 44701 note).

3 (2) SERVICE AND OFFICE STAFFING LEVEL.—

4 The model will project staffing at the service and of-
5 fice level and require managers to use the model as
6 part of the resource assessment for aviation safety
7 inspector resources.

8 (3) ATTRITION.—The aviation safety inspector
9 staffing model will take into consideration forecasted
10 attrition.

11 (4) CONSULTATION.—In revising the model, the
12 Administrator shall consult with interested persons,
13 including the exclusive collective bargaining rep-
14 resentative for aviation safety inspectors certified
15 under section 7111 of title 5, United States Code.

16 **SEC. 525. SAFETY CRITICAL STAFFING.**

17 (a) IMPLEMENTATION OF STAFFING STANDARDS FOR
18 SAFETY INSPECTORS.—Upon completion of the revised
19 staffing model for aviation safety inspectors under section
20 524, and validation of the model by the Administrator,
21 the Administrator shall take all appropriate actions in re-
22 sponse to the number of aviation safety inspectors, avia-
23 tion safety technicians, and operation support positions
24 that such model determines are required to meet the re-
25 sponsibilities of the Flight Standards Service and Aircraft

1 Certification Service, including increasing the number of
2 safety critical positions in the Flight Standards Service
3 and Aircraft Certification Service per fiscal year as appro-
4 priate, provided that such staffing increases shall be meas-
5 ured relative to the number of persons serving in safety
6 critical positions as of September 30, 2023. Any increase
7 in safety critical staffing pursuant to this subsection shall
8 be subject to the availability of appropriations.

9 (b) SAFETY CRITICAL POSITIONS DEFINED.—In this
10 section, the term “safety critical positions” means—

11 (1) aviation safety inspectors, aviation safety
12 specialists (1801 series), aviation safety technicians,
13 and operations support positions in the Flight
14 Standards Service; and

15 (2) manufacturing safety inspectors, pilots, en-
16 gineers, Chief Scientist Technical Advisors, aviation
17 safety specialists (1801 series), safety technical spe-
18 cialists, and operational support positions in the Air-
19 craft Certification Service.

20 **SEC. 526. INSTRUMENT LANDING SYSTEM INSTALLATION.**

21 (a) IN GENERAL.—Section 44502(a)(4) of title 49,
22 United States Code, is amended by adding at the end the
23 following:

24 “(C) INSTALLATION.—The Administrator
25 shall expedite the installation of at a minimum

1 15 instrument landing systems (referred to in
2 this subparagraph as ‘ILS’) in the national air-
3 space system by January 1, 2025, by utilizing
4 the existing ILS contract vehicle and the Fed-
5 eral Aviation Administration workforce.”.

6 (b) EXPEDITED INSTALLATION OF ILS EQUIP-
7 MENT.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of enactment of this section, the Ad-
10 ministrator shall initiate action to utilize the existing
11 instrument landing systems (referred to in this sub-
12 section as “ILS”) contract vehicle and FAA employ-
13 ees in facilitating the expedited installation of ILS
14 equipment into the national airspace system. In car-
15 rying out this subsection, the Administrator shall—

16 (A) incorporate lessons learned from the
17 installations under section 44502(a)(4) of title
18 49, United States Code;

19 (B) record metrics of cost and time savings
20 of expedited installations; and

21 (C) consider opportunities to further de-
22 velop ILS technical expertise among the FAA
23 workforce.

24 (2) CONSIDERATIONS.—During the implemen-
25 tation planning to carry out this subsection and sub-

1 paragraph (C) of section 44502(a)(4) of title 49,
2 United States Code, as added by subsection (a), the
3 Administrator shall consider the cost-benefit analysis
4 of utilizing the existing ILS contract vehicle, the
5 FAA workforce, or both, to accelerate the installa-
6 tion and deployment of procured equipment.

7 (3) REPORT TO CONGRESS.—Not later than
8 June 30, 2025, the Administrator shall report to the
9 appropriate committees of Congress on the ILS in-
10 stallation results, near-term ILS installations
11 planned, and shall outline the FAA’s approach to ac-
12 celerate future procurement and installation of ILS
13 throughout the national airspace system in a manner
14 consistent with the requirements of title VIII of divi-
15 sion J of the Infrastructure Investment and Jobs
16 Act (Public Law 117–58).

17 **SEC. 527. AVIATION CERTIFICATION FELLOWSHIP PRO-**
18 **GRAM.**

19 (a) PROGRAM.—

20 (1) ESTABLISHMENT.—

21 (A) IN GENERAL.—Not later than 1 year
22 after the date of enactment of this section, the
23 Administrator shall establish within the FAA a
24 program to be known as the “Aviation Certifi-
25 cation Professional Fellowship Program” (in

1 this section referred to as the “Program”) to
2 facilitate the assignment of individuals from a
3 private-sector organization to the FAA to serve
4 on a temporary basis in positions relating to
5 aircraft certification.

6 (B) APPOINTMENTS.—In appointing indi-
7 viduals under the Program, the Administrator
8 shall enter into agreements with private-sector
9 organizations employing such individuals and
10 selected individuals to participate in the Pro-
11 gram pursuant to terms and conditions of serv-
12 ice determined appropriate by the Adminis-
13 trator.

14 (C) ACTIONS SUBJECT TO AVAILABILITY
15 OF FUNDS.—Any action taken by the Adminis-
16 trator under this section shall be subject to the
17 availability of appropriations authorized under
18 subsection (e).

19 (2) RESPONSIBILITIES.—

20 (A) GUIDELINES.—The Administrator
21 shall establish guidelines related to the activi-
22 ties and responsibilities of the fellowships under
23 subsection (b).

24 (B) QUALIFICATIONS.—The Administrator
25 shall prescribe the qualifications required for

1 designation of certification professional fellow-
2 ships under subsection (b).

3 (C) AUTHORITY.—In order to carry out
4 the provisions of this section, the Administrator
5 may—

6 (i) appoint, assign the duties of, and
7 transfer such personnel as may be nec-
8 essary;

9 (ii) make appointments with respect
10 to temporary and intermittent services;

11 (iii) enter into contracts, cooperative
12 agreements, and other transactions without
13 regard to section 6101 of title 41, United
14 States Code;

15 (iv) accept funds from other Federal
16 departments and agencies to pay for, and
17 add to, activities authorized by this sec-
18 tion; and

19 (v) promulgate such rules and regula-
20 tions as may be necessary and appropriate.

21 (b) SPECIAL RULES FOR FELLOWSHIPS.—Under the
22 Program, the Administrator shall do the following:

23 (1) Appoint highly qualified, experienced profes-
24 sionals to advisory positions related to certification
25 that require specialized, unique, or extensive skills in

1 occupations within the FAA, and allow such profes-
2 sionals to occupy specialty or hard-to-fill positions
3 that require specialized knowledge of aircraft design,
4 manufacturing, safety, and certification processes.

5 (2) Allow appointed individuals to be utilized
6 across the aircraft certification spectrum as appro-
7 priate.

8 (3) Open the fellowships to citizens and nation-
9 als of the United States.

10 (4) Limit the term of appointment to up to 1
11 year with an option to extend for up to an additional
12 year (with no appointment exceeded a total of 2
13 years).

14 (5) Reserve the right to terminate individuals
15 participating in the fellowship for any violation of
16 the terms and conditions of service established by
17 the Administrator.

18 (6) Make clear that any responsibilities of indi-
19 viduals participating in the fellowship program con-
20 stitute acting in an advisory role for aircraft certifi-
21 cation and are subject to conflict-of-interest condi-
22 tions and FAA supervision and control.

23 (c) RULES FOR PAY AND BENEFITS FOR INDIVID-
24 UALS EMPLOYED BY PRIVATE-SECTOR ORGANIZATIONS.—

25 An individual employed by a private-sector organization

1 who is participating in the Program at the FAA shall con-
2 tinue to receive pay and benefits from such private-sector
3 organizations and shall not receive pay or benefits from
4 the FAA for the duration of the individual's participation
5 in the Program.

6 (d) CONFLICTS OF INTEREST.—The Administrator
7 shall implement policies to identify, mitigate, and manage
8 any perceived or actual conflict of interest as a condition
9 of an individual's participation in the Program. Such poli-
10 cies shall include the following:

11 (1) A prohibition on an individual participating
12 in the Program from being assigned to a position
13 that has decision-making authority or influence over
14 an application or project submitted to the FAA by
15 the private-sector organization employing such indi-
16 vidual.

17 (2) A requirement that an individual partici-
18 pating in the Program who has access to proprietary
19 or non-public information at the FAA must sign a
20 non-disclosure agreement prohibiting the sharing of
21 such information that is of commercial value with
22 the private-sector organization employing such indi-
23 vidual or with other individuals (whether or not em-
24 ployed by such private-sector organization) or orga-
25 nizations, during the period of the individual's par-

1 participation in the Program and after the individual's
2 participation in the Program has concluded.

3 (3) A prohibition on an individual participating
4 in the Program from improperly using pre-decisional
5 or draft FAA information that such individual may
6 be privy to or aware of during, or as a result of, the
7 individual's participation in the Program for the
8 benefit of the private-sector organization employing
9 such individual,

10 (4) Appropriate post-service limitations for indi-
11 viduals participating in the Program.

12 (5) Other elements determined appropriate by
13 the Administrator.

14 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated such sums as may be nec-
16 essary to carry out this section. Amounts appropriated
17 under the preceding sentence shall remain available until
18 expended.

19 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
20 tion shall be construed as a delegation of authority by the
21 Administrator to individuals participating in the Program.

22 (g) PROGRAM REVIEW AND REPORT.—

23 (1) REVIEW.—The Comptroller General of the
24 United States (in this subsection referred to as the
25 “Comptroller General”) shall conduct a comprehen-

1 sive review of the Program, including the impact of
2 the Program on the FAA's aircraft certification
3 processes and the presence of any conflicts of inter-
4 est under the Program.

5 (2) REPORT.—Not later than 3 years after the
6 date of enactment of this section, the Comptroller
7 General shall submit to the appropriate committees
8 of Congress a report containing the results of the re-
9 view conducted under paragraph (1), together with
10 recommendations for such legislation and adminis-
11 trative action as the Comptroller General determines
12 appropriate.

13 (h) SUNSET.—The Program shall terminate on the
14 date that is 5 years after the date of enactment of this
15 section.

16 (i) CERTIFIED PROFESSIONAL DEFINED.—In this
17 section, the term “certification professional” means an in-
18 dividual with expertise and background in a line or field
19 that is concerned with, or likely to improve, the safety cer-
20 tification of aircraft and other airborne objects and sys-
21 tems, including the following:

- 22 (1) Aerospace engineering.
- 23 (2) Aerospace physiology.
- 24 (3) Aeronautical engineering.
- 25 (4) Airworthiness engineering.

1 (5) Electrical engineering.

2 (6) Human factors engineering.

3 (7) Software engineering.

4 (8) Systems engineering.

5 **SEC. 528. CONTRACT TOWER PROGRAM AIR TRAFFIC CON-**
6 **TROLLER TRAINING PROGRAMS.**

7 Section 47124 of title 49, United States Code, is
8 amended—

9 (1) by redesignating subsection (e) as sub-
10 section (f);

11 (2) by inserting after subsection (d), the fol-
12 lowing new subsection:

13 “(e) AIR TRAFFIC CONTROLLER TRAINING PRO-
14 GRAMS.—

15 “(1) IN GENERAL.—Not later than 180 days
16 after the date of enactment of this subsection, the
17 Secretary shall coordinate with air traffic control
18 contractors to create air traffic controller training
19 programs and shall incorporate the use of such pro-
20 grams into new contracts or the exercise of future
21 options entered into under the Contract Tower Pro-
22 gram and the Cost-share Program. Such programs
23 shall allow air traffic control contractors to—

24 “(A) provide initial training to candidates
25 who do not have a Control Tower Operator cer-

1 tificate or Federal Aviation Administration
2 tower credential; and

3 “(B) provide training to controllers who
4 have completed an approved Air Traffic Colle-
5 giate Training Initiative (AT-CTI) program
6 from an accredited school that has a dem-
7 onstrated successful curriculum.

8 “(2) AUTHORITY.—An air traffic control con-
9 tractor shall be permitted to train controllers under
10 programs established under paragraph (1) notwith-
11 standing section 65.39(a) of title 14, Code of Fed-
12 eral Regulations (as in effect on the date of enact-
13 ment of this subsection).

14 “(3) RULE OF CONSTRUCTION.—Nothing in
15 this subsection shall be construed as a delegation of
16 authority by the Administrator to air traffic control
17 contractors for the purposes of conducting initial
18 testing of, and issuing initial certifications to, air
19 traffic controllers.

20 “(4) PROGRAM REVIEW.—

21 “(A) IN GENERAL.—Not later than 3 years
22 after the incorporation of training programs op-
23 erated by air traffic control contractors under
24 the Contract Tower Program and the Cost-
25 share Program, the Secretary shall conduct a

1 review of such training programs and issue rel-
2 evant findings. In conducting the review, the
3 Secretary shall identify the degree to which
4 such programs improve workforce development
5 at air traffic control tower facilities staffed
6 through the Contract Tower Program or the
7 Cost-share Program, air traffic control towers
8 staffed by the Federal Aviation Administration,
9 and any related impact such training may have
10 on air traffic controller staffing more broadly.

11 “(B) REPORT.—Not later than 1 year
12 after the date on which the Secretary initiates
13 the review required by subparagraph (A), the
14 Secretary shall submit a report to the appro-
15 priate committees of Congress on the results of
16 the review, along with such recommendations as
17 the Secretary determines appropriate.

18 “(5) DEFINITIONS.—In this subsection, the
19 term ‘demonstrated successful curriculum’ means an
20 AT-CTI program curriculum with a demonstrated
21 record of graduated students that have enrolled at
22 the FAA Academy and subsequently completed Cer-
23 tified Tower Operator certificates at an 80 percent
24 success rate for a consecutive period of 5 years.

1 “(6) SUNSET.—The provisions of this sub-
2 section shall terminate on September 30, 2028.”;
3 and

4 (3) in subsection (f) (as redesignated by para-
5 graph (1)), by adding at the end the following:

6 “(3) APPROPRIATE COMMITTEES OF CON-
7 GRESS.—The term ‘appropriate committees of Con-
8 gress’ means—

9 “(A) the Committee on Commerce,
10 Science, and Transportation of the Senate; and

11 “(B) the Committee on Transportation
12 and Infrastructure of the House of Representa-
13 tives.”.

14 **SEC. 529. REVIEW OF FAA AND INDUSTRY COOPERATIVE**
15 **FAMILIARIZATION PROGRAMS.**

16 (a) REVIEW.—Not later than 270 days after the date
17 of enactment of this section, the Administrator shall com-
18 plete a review of options for employees of the FAA whose
19 responsibilities directly relate to certification, to gain or
20 enhance technical expertise, knowledge, skills, and abili-
21 ties, including subject matter relating to innovative and
22 complex aviation technologies, through cooperative train-
23 ing and visitation with aerospace companies.

24 (b) CONFLICTS OF INTEREST.—In conducting the re-
25 view in subsection (a), the Administrator shall ensure that

1 such options for FAA employees would occur on a short-
2 term basis and avoid both conflicts of interest and the ap-
3 pearance of such conflicts pursuant to chapter 131 of title
4 5, United States Code, chapter 11 of title 18, United
5 States Code, subchapter B of chapter XVI of title 5, Code
6 of Federal Regulations, sections 2635.101 and 2635.502
7 of title 5, Code of Federal Regulations, and any other reg-
8 ulations as deemed appropriate by the Administrator. The
9 Administrator shall also identify any conflicts with FAA
10 policies relating to FAA employee interactions with indus-
11 try and determine appropriate obligations of such employ-
12 ees upon returning to the FAA after engaging in relevant
13 cooperative training and visitation.

14 (c) CONSIDERATIONS.—As part of the review re-
15 quired by subsection (a), the Administrator shall consider
16 the following, provided that such actions satisfy conflicts
17 of interest requirements referred to in subsection (b):

18 (1) Expanding existing familiarization pro-
19 grams.

20 (2) Leveraging cooperative training programs to
21 support credentialing and recurrent training activi-
22 ties for FAA employees.

23 (3) Evaluating the options described in sub-
24 section (a) based on the level of experience of par-

1 participating FAA employees and intended benefits re-
2 lated to such participation.

3 (d) REPORT.—Not later than 90 days after com-
4 pleting the review required by subsection (a), the Adminis-
5 trator shall submit a report to the appropriate committees
6 of Congress on the results of the review and relevant rec-
7 ommendations.

8 **SEC. 530. IMPROVED ACCESS TO AIR TRAFFIC CONTROL**
9 **SIMULATION TRAINING.**

10 (a) ACCESS.—The Administrator shall make tower
11 simulator systems (in this section referred to as “TSS”)
12 more accessible to all air traffic controller specialists as-
13 signed to an air traffic control tower of the FAA (in this
14 section referred to as an “ATCT”), regardless of facility
15 assignment, by carrying out the following:

16 (1) CLOUD-BASED VISUAL DATABASE AND
17 SOFTWARE SYSTEM.—Not later than 30 months
18 after the date of enactment of this section, the Ad-
19 ministrator shall develop and implement a cloud-
20 based visual database and software system that is
21 compatible with existing and future TSS that in-
22 cludes, at a minimum—

23 (A) every ATCT’s unique runway layout,
24 approach paths, and lines of sight; and

1 (B) specifications that meet all applicable
2 data security requirements.

3 (2) UPGRADING TSS.—Not later than 2 years
4 after the date of enactment of this section, the Ad-
5 ministrator shall upgrade existing, permanent TSS
6 so that the TSS is capable of, at a minimum—

7 (A) securely and quickly downloading data
8 from the cloud-based visual database and soft-
9 ware system implemented under paragraph (1);

10 (B) running scenarios for each ATCT in-
11 volving differing levels of air traffic volume; and

12 (C) running scenarios for each ATCT in-
13 volving varying complexities of air traffic (in-
14 cluding, but not limited to, aircraft emer-
15 gencies, rapidly changing weather, issuance of
16 safety alerts, and recovering from unforeseen
17 events or losses of separation).

18 (3) MOBILE TSS.—Not later than 4 years after
19 the date of enactment of this section, the Adminis-
20 trator shall acquire and implement mobile TSS at
21 each ATCT that is without an existing, permanent
22 TSS so that the mobile TSS is capable of, at a min-
23 imum, the functions described in subparagraphs (A),
24 (B), and (C) of paragraph (2).

1 (b) COLLABORATION.—In carrying out the activities
2 under subsection (a), the Administrator may collaborate
3 with the exclusive bargaining representative of air traffic
4 controllers certified under section 7111 of title 5, United
5 States Code.

6 **SEC. 531. AIR TRAFFIC CONTROLLER INSTRUCTOR PIPE-**
7 **LINE.**

8 (a) IN GENERAL.—No later than 270 days after the
9 date of enactment of this section, the Administrator shall
10 initiate a study examining the pipeline of air traffic con-
11 troller instructors and the projected number of instructors
12 needed to maintain the safety of the national airspace sys-
13 tem over the 5-fiscal year period beginning with fiscal year
14 2024.

15 (b) CONTENTS.—The study required by subsection
16 (a) shall include the following:

17 (1) An examination of projected instructor
18 staffing targets, including the number of on-the-job
19 instructors needed for the instruction and training
20 of Certified Professional Controllers in Training
21 (CPC-Its).

22 (2) Whether involving further retired Certified
23 Professional Controllers (CPCs) as instructors, in-
24 cluding for classroom training, would produce im-

1 improvements in air traffic controller instruction and
2 training.

3 (3) Recommendations on how and where to uti-
4 lize retired certified professional controllers.

5 (4) The effect on the ability of active Certified
6 Professional Controllers (CPCs) to carry out on-the-
7 job duties, other than instruction, and any related
8 efficiencies if more retired Certified Professional
9 Controllers (CPCs) were instructors.

10 (5) The known vulnerabilities, as categorized by
11 FAA Air Traffic Organization regions, where requir-
12 ing Certified Professional Controllers (CPCs) to pro-
13 vide instruction and training to Certified Profes-
14 sional Controllers in Training (CPC-Its) is a signifi-
15 cant burden on FAA air traffic controller staffing
16 levels.

17 (c) DEADLINE.—Not later than 2 years after the date
18 on which the Administrator initiates the study required
19 by subsection (a), the Administrator shall brief the appro-
20 priate committees of Congress on the results on the study
21 and any actions that may be taken based on such results.

1 **SEC. 532. ENSURING HIRING OF AIR TRAFFIC CONTROL**
2 **SPECIALISTS IS BASED ON ASSESSMENT OF**
3 **JOB-RELEVANT APTITUDES.**

4 (a) REVIEW OF THE AIR TRAFFIC SKILLS ASSESS-
5 MENT.—Not later than 180 days after the date of enact-
6 ment of this section, the Administrator shall review and
7 revise, if necessary, the Air Traffic Skills Assessment (in
8 this section referred to as the “AT–SA”) administered to
9 air traffic controller applicants described in clauses (ii)
10 and (iii) of section 44506(f)(1)(B) of title 49, United
11 States Code, in accordance with the following require-
12 ments:

13 (1) The Administrator shall evaluate all ques-
14 tions on the AT–SA and determine whether a peer-
15 reviewed job analysis that ensures all questions test
16 job-relevant aptitudes would result in improvements
17 in the air traffic control specialist workforce pipe-
18 line.

19 (2) The Administrator shall assess the assump-
20 tions and methodologies used to develop the AT–SA,
21 the job-relevant aptitudes measured, and the scoring
22 process for the assessment.

23 (3) The Administrator shall assess whether any
24 other revisions to the AT–SA are necessary to en-
25 hance the air traffic control specialist workforce
26 pipeline.

1 (b) DOT INSPECTOR GENERAL REPORT.—Not later
2 than 180 days after the date on which the Administrator
3 completes the review and any necessary revision of the
4 AT–SA required under subsection (a), the Inspector Gen-
5 eral of the Department of Transportation shall submit to
6 the Administrator, the appropriate committees of Con-
7 gress, and, upon request, to any member of Congress, a
8 report that assesses the reviewed AT–SA and any applica-
9 ble revisions, a description of any associated actions taken
10 by the Administrator, and any recommended actions to be
11 taken to address the results of the report.

12 **SEC. 533. 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 shall initiate the development of a plan to—

18 (A) expand overall FAA capacity relating
19 to facilities, instruction, equipment, and train-
20 ing resources to grow the number of develop-
21 mental air traffic controllers enrolled per fiscal
22 year and support increases in FAA air con-
23 troller staffing to advance the safety of the na-
24 tional airspace system; and

1 (B) establish a second FAA Academy in an
2 area described in paragraph (2).

3 (2) AREA DESCRIBED.—An area described in
4 this paragraph is a metropolitan statistical area in
5 which each of the following is located:

6 (A) At least 2 large hub airports.

7 (B) An FAA Flight Standards District Of-
8 fice

9 (C) An FAA Certificate Management Of-
10 fice.

11 (D) An FAA regional headquarters.

12 (3) CONSIDERATIONS.—In developing the plan
13 under paragraph (1), the Administrator shall con-
14 sider—

15 (A) the resources needed to support an in-
16 crease in the total number of developmental air
17 traffic controllers enrolled at the FAA Acad-
18 emies;

19 (B) the resources needed to lessen FAA
20 Academy attrition per fiscal year;

21 (C) how to modernize the education and
22 training of developmental air traffic controllers,
23 including through the use of new techniques
24 and technologies to support instruction, and
25 whether field training can be administered more

1 flexibly, such as at other FAA locations across
2 the country;

3 (D) the equipment needed to support ex-
4 panded instruction, including air traffic control
5 simulation systems, virtual reality, and other
6 virtual training platforms;

7 (E) projected staffing needs associated
8 with FAA Academy expansion and the oper-
9 ation of virtual education platforms, including
10 the number of on-the-job instructors needed to
11 educate and train additional developmental air
12 traffic controllers;

13 (F) the use of existing FAA-owned facili-
14 ties and classroom space and identifying poten-
15 tial opportunities for new construction;

16 (G) the costs of—

17 (i) expanding FAA capacity (as de-
18 scribed in paragraph (1)(A)); and

19 (ii) establishing a second FAA Acad-
20 emy (as described in paragraph (1)(B));

21 (H) soliciting input from, and coordinating
22 with, relevant stakeholders as appropriate, in-
23 cluding the exclusive bargaining representative
24 of air traffic control specialists of the FAA cer-

1 “(xi) a medium intensity approach
2 lighting system with runway alignment in-
3 dicator lights.”;

4 (2) by redesignating subparagraphs (Q) and
5 (R) as subparagraphs (S) and (T), respectively;

6 (3) by redesignating subparagraphs (M)
7 through (P) as subparagraphs (N) through (Q), re-
8 spectively;

9 (4) by inserting after subparagraph (L) the fol-
10 lowing:

11 “(M) constructing or acquiring airport-
12 owned infrastructure or equipment, notwith-
13 standing revenue producing capability, as de-
14 fined in subsection (24), required for the on-air-
15 port distribution or storage of unleaded aviation
16 gas for use by piston-driven aircraft, including
17 on-airport construction or expansion of pipe-
18 lines, storage tanks, low-emission fuel systems,
19 and airport-owned and operated fuel trucks pro-
20 viding exclusively unleaded aviation fuels, unless
21 the Secretary determines that an alternative
22 fuel may be safely used for a limited time.”;

23 (5) by inserting after subparagraph (Q) (as re-
24 designated by paragraph (3)), the following:

1 “(R) acquiring or installing new renewable
2 energy generation infrastructure (such as solar,
3 geothermal, or wind) that provide power for on-
4 airport uses and energy storage systems, and
5 necessary substation upgrades to support such
6 infrastructure.”; and

7 (6) by inserting after subparagraph (T) (as re-
8 designated by paragraph (2)), the following:

9 “(U) initial acquisition (and excluding sub-
10 sequent upgrades) of an advanced digital con-
11 struction management system (meaning a com-
12 puter platform that uses digital technology
13 throughout the life cycle of a capital infrastruc-
14 ture project, including through project phases
15 such as design and construction, when that sys-
16 tem is acquired to carry out a project approved
17 by the Secretary under this subchapter.

18 “(V) reconstructing or rehabilitating an ex-
19 isting crosswind runway provided the sponsor
20 includes reconstruction or rehabilitation of the
21 runway in the sponsor’s most recent approved
22 airport layout plan.”.

23 **SEC. 602. REVISED MINIMUM APPORTIONMENTS.**

24 Section 47114(c)(1) of title 49, United States Code,
25 is amended by adding at the end the following:

1 “(K) MINIMUM APPORTIONMENT FOR COM-
2 MERCIAL SERVICE AIRPORTS WITH MORE THAN
3 4,000 PASSENGER BOARDINGS IN A CALENDAR
4 YEAR.—Not less than \$400,000 may be appor-
5 tioned under subparagraph (A) for each fiscal
6 year to each sponsor of a commercial service
7 airport that had fewer than 8,000 passenger
8 boardings, but at least 4,000 passenger
9 boardings, during the prior calendar year.”.

10 **SEC. 603. APPORTIONMENTS FOR TRANSITIONING AIR-**
11 **PORTS.**

12 Section 47114(f)(3) of title 49, United States Code,
13 is amended—

14 (1) in subparagraph (A), by striking “Begin-
15 ning with the fiscal year” and inserting “For 3 fis-
16 cal years”; and

17 (2) in subparagraph (B), by striking “fiscal
18 year 2004” and inserting “fiscal years beginning
19 with fiscal year 2024”.

20 **SEC. 604. UPDATING UNITED STATES GOVERNMENT’S**
21 **SHARE OF PROJECT COSTS.**

22 (a) IN GENERAL.—Section 47109 of title 49, United
23 States Code, is amended—

24 (1) by striking subsection (b) and inserting the
25 following:

1 “(b) INCREASED GOVERNMENT SHARE.—In any
2 State containing unappropriated and unreserved public
3 lands and nontaxable Indian lands (individual and tribal)
4 of more than 5 percent of the total area of all lands in
5 the State, the Government’s share of allowable project
6 costs provided in subsection (a) shall be—

7 “(1) unchanged for a project at a large hub air-
8 port in the State; or

9 “(2) 95 percent for a project at any other air-
10 port in the State.”;

11 (2) by striking subsection (c) and redesignating
12 subsections (d) through (f) as (c) through (e), re-
13 spectively;

14 (3) in subsection (e), as so redesignated, by
15 striking paragraph (1) and inserting the following:

16 “(1) is not a medium or large hub airport;
17 and”;

18 (4) by inserting after subsection (e), as so re-
19 designated, the following:

20 “(f) SPECIAL RULE FOR FISCAL YEARS 2024
21 THROUGH 2026.—Notwithstanding subsection (a), the
22 Government’s share of allowable project costs for a grant
23 made to a nonhub or nonprimary airport in each of fiscal
24 years 2024 through 2026 is 95 percent.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect on October 1, 2023.

3 **SEC. 605. PRIMARY AIRPORT DESIGNATION.**

4 Section 47114(c)(1) of title 49, United States Code,
5 as amended by section 602, is amended by adding at the
6 end the following:

7 “(L) PUBLIC AIRPORTS WITH MILITARY
8 USE.—Notwithstanding any other provision of
9 law, a public airport shall be considered a
10 nonhub primary airport in fiscal year 2024 for
11 purposes of this chapter if such airport was—

12 “(i) designated as a primary airport
13 in fiscal year 2017; and

14 “(ii) in use by an air reserve station
15 in the calendar year used to calculate ap-
16 portionments to airport sponsors in a fiscal
17 year.”.

18 **SEC. 606. DISCRETIONARY FUND FOR TERMINAL DEVELOP-**
19 **MENT COSTS.**

20 (a) TERMINAL PROJECTS AT TRANSITIONING AIR-
21 PORTS.—Section 47119(c) of title 49, United States Code,
22 is amended—

23 (1) in paragraph (4), by striking “or” after the
24 semicolon;

1 (2) in paragraph (5), by striking the period at
2 the end and inserting “; or”; and

3 (3) by inserting after paragraph (5), the fol-
4 lowing:

5 “(6) not more than \$20,00,000 of the amount
6 that may be distributed for the fiscal year from the
7 discretionary fund established under section 47115
8 of this title, to the sponsor of a nonprimary airport
9 to pay costs allowable under subsection (a) for ter-
10 minal development projects, if the Secretary deter-
11 mines (which may be based on actual and projected
12 enplanement trends, as well as completion of an air
13 service development study, demonstrated commit-
14 ment by airlines to provide commercial service ac-
15 commodating at least 10,000 annual enplanements,
16 the sponsor’s documented commitment to providing
17 the remaining funding to complete the proposed
18 project, and a favorable environmental finding (in-
19 cluding all required permits) in support of the pro-
20 posed project) that the status of the nonprimary air-
21 port is reasonably expected to change to primary
22 status in the next published report under section
23 47103.”.

1 (b) LIMITATION.—Section 47119(f) of title 49,
2 United States Code, is amended by striking
3 “\$20,000,000” and inserting “\$30,000,000”.

4 **SEC. 607. ALTERNATIVE-DELIVERY AND ADVANCE-CON-**
5 **STRUCTION METHODS PILOT PROGRAM.**

6 Section 47142 of title 49, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(d) PILOT PROGRAM.—

10 “(1) IN GENERAL.—Not later than 180 days
11 after the date of enactment of this subsection, the
12 Administrator shall establish a pilot program under
13 which not less than 5 airport sponsors shall be au-
14 thorized through the application process under sub-
15 section (a) to award a design-build contract for a
16 project that uses alternative-delivery and advance-
17 construction methods, for purposes of evaluating the
18 extent to which such methods expedite project deliv-
19 ery and reduce construction costs.

20 “(2) REPORT.—Not later than 90 days after
21 the date on which the pilot program ends, the Ad-
22 ministrator shall submit to Congress a report on the
23 results of the pilot program, together with rec-
24 ommendations for such legislative or administrative

1 action as the Administrator determines appro-
2 priate.”.

3 **SEC. 608. INTEGRATED PROJECT DELIVERY.**

4 (a) PILOT PROGRAM.—Not later than 270 days after
5 the date of enactment of this section, the Secretary shall
6 establish a pilot program under which the Administrator
7 may award grants for integrated project delivery contracts
8 to carry out up to 5 building construction projects at air-
9 ports in the United States with a grant awarded under
10 section 47104 of title 49, United States Code.

11 (b) APPLICATION.—

12 (1) ELIGIBILITY.—A sponsor of an airport may
13 submit to the Secretary an application, in such time
14 and manner and containing such information as the
15 Secretary may require, to carry out a building con-
16 struction project under the pilot program that would
17 otherwise be eligible for assistance under chapter
18 471 of such title 49.

19 (2) APPROVAL.—The Secretary may approve
20 the application of a sponsor of an airport submitted
21 under paragraph (1) to authorize such sponsor to
22 award an integrated project delivery contract using
23 a selection process permitted under applicable State
24 or local law if—

1 (A) the Secretary approves the application
2 using criteria established by the Secretary;

3 (B) the integrated project delivery contract
4 is in a form that is approved by the Secretary;

5 (C) the Secretary is satisfied that the con-
6 tract will be executed pursuant to competitive
7 procedures and contains a schematic design and
8 any other material that the Secretary deter-
9 mines sufficient to approve the grant;

10 (D) the Secretary is satisfied that the use
11 of an integrated project delivery contract will be
12 cost effective and expedite the project;

13 (E) the Secretary is satisfied that there
14 will be no conflict of interest; and

15 (F) the Secretary is satisfied that the con-
16 tract selection process will be open, fair, and
17 objective and that not less than 2 sets of pro-
18 posals will be submitted for each team entity
19 under the selection process.

20 (c) REIMBURSEMENT OF COSTS.—Reimbursement of
21 costs shall be based on transparent cost accounting, also
22 known as open book cost accounting. The Secretary may
23 reimburse a sponsor of an airport for any design or con-
24 struction costs incurred before a grant is made pursuant
25 to this section if—

1 (1) the project funding is approved by the Sec-
2 retary in advance;

3 (2) the project is carried out in accordance with
4 all administrative and statutory requirements under
5 chapter 471 of such title 49; and

6 (3) the project is carried out under such chap-
7 ter after a grant agreement has been executed.

8 (d) INTEGRATED PROJECT DELIVERY CONTRACT
9 DEFINED.—In this section, the term “integrated project
10 delivery contract” means a single contract for the delivery
11 of a whole project that—

12 (1) includes, at a minimum, the owner, builder,
13 and architect-engineer as parties that are subject to
14 the terms of the contract;

15 (2) aligns the interests of all the parties to the
16 contract with respect to the project costs and project
17 outcomes; and

18 (3) includes processes to ensure transparency
19 and collaboration among all parties to the contract
20 relating to project costs and project outcomes.

21 (e) EXPIRATION OF AUTHORITY.—The authority of
22 the Secretary to award grants under the pilot program
23 under this section shall expire on September 30, 2028.

1 **SEC. 609. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.**

2 Section 47134(b) of title 49, United States Code, is
3 amended by adding at the end the following:

4 “(4) BENEFIT-COST ANALYSIS.—Prior to ap-
5 proving an application submitted under subsection
6 (a), the Secretary may require a benefit-cost anal-
7 ysis. To facilitate the approval process, if a benefit-
8 cost analysis is required, the Secretary shall issue a
9 preliminary and conditional finding, which shall—

10 “(A) be issued within 60 days of the spon-
11 sor’s submission of all information required by
12 the Secretary;

13 “(B) be based upon a collaborative review
14 process that includes the sponsor or sponsor’s
15 representative;

16 “(C) not constitute the issuance of a Fed-
17 eral grant or obligation to issue a grant under
18 this chapter or other authority; and

19 “(D) not constitute any other obligation on
20 the part of the Federal Government until the
21 conditions specified in the final benefit-cost
22 analysis are met.”.

23 **SEC. 610. AIRPORT ACCESSIBILITY.**

24 (a) IN GENERAL.—Subchapter I of chapter 471 of
25 title 49, United States Code, is amended by inserting after
26 section 47144 the following:

1 **“§ 47145. Pilot program for airport accessibility**

2 “(a) IN GENERAL.—The Secretary of Transportation
3 shall establish and carry out a pilot program to award
4 grants to sponsors to carry out capital projects to upgrade
5 the accessibility of commercial service airports for individ-
6 uals with disabilities by increasing the number of commer-
7 cial service airports, airport terminals, or airport facilities
8 that meet or exceed the standards and regulations under
9 the Americans with Disabilities Act of 1990 (42 U.S.C.
10 12131 et seq.) and the Rehabilitation Act of 1973 (29
11 U.S.C. 701 note).

12 “(b) USE OF FUNDS.—

13 “(1) IN GENERAL.—Subject to paragraph (2), a
14 sponsor shall use a grant awarded under this sec-
15 tion—

16 “(A) for a project to repair, improve, or re-
17 locate the infrastructure of an airport, airport
18 terminal, or airport facility to increase accessi-
19 bility for individuals with disabilities, or as part
20 of a plan to increase accessibility for individuals
21 with disabilities;

22 “(B) to develop or modify a plan (as de-
23 scribed in subsection (e)) for a project that in-
24 creases accessibility for individuals with disabil-
25 ities, including—

1 “(i) assessments of accessibility or as-
2 sessments of planned modifications to an
3 airport, airport terminal, or airport facility
4 for passenger use, performed by the recipi-
5 ent airport’s disability advisory committee
6 (if applicable), the protection and advocacy
7 system for individuals with disabilities in
8 the applicable State, a center for inde-
9 pendent living, or a similar nonprofit orga-
10 nization focused on ensuring individuals
11 with disabilities are able to live and partici-
12 pate in their communities; or

13 “(ii) coordination by the recipient’s
14 disability advisory committee with a pro-
15 tection and advocaey system, center for
16 independent living, or similar nonprofit or-
17 ganization; or

18 “(C) to carry out any other project that
19 meets or exceeds the standards and regulations
20 described in subsection (a).

21 “(2) LIMITATION.—Eligible costs for a project
22 funded with a grant awarded under this section shall
23 be limited to the costs associated with carrying out
24 the purpose authorized under subsection (a).

25 “(c) ELIGIBILITY.—A sponsor—

1 “(1) may use a grant under this section to up-
2 grade a commercial service airport that is accessible
3 to and usable by individuals with disabilities con-
4 sistent with the current (as of the date of the up-
5 grade) standards and regulations described in sub-
6 section (a); and

7 “(2) may use the grant to upgrade a commer-
8 cial service airport that is not accessible and usable
9 as described in paragraph (1), even if the related
10 service, program, or activity, when viewed in its en-
11 tirely, is readily accessible and usable as so de-
12 scribed.

13 “(d) SELECTION CRITERIA.—In making grants to
14 sponsors under this section, the Secretary shall give pri-
15 ority to sponsors that are proposing—

16 “(1) a capital project to upgrade the accessi-
17 bility of a commercial service airport that is not ac-
18 cessible to and usable by individuals with disabilities
19 consistent with standards and regulations described
20 in subsection (a); or

21 “(2) to meet or exceed the Airports Council
22 International accreditation under the Accessibility
23 Enhancement Accreditation, through the incorpora-
24 tion of universal design principles.

1 “(e) ACCESSIBILITY COMMITMENT.—A sponsor that
2 receives a grant under this section shall adopt a plan
3 under which the sponsor commits to pursuing airport ac-
4 cessibility projects that—

5 “(1) enhance the customer experience and
6 maximize accessibility of commercial service airports,
7 airport terminals, or airport facilities for individuals
8 with disabilities, including by—

9 “(A) upgrading bathrooms, counters, or
10 pumping rooms;

11 “(B) increasing audio and visual accessi-
12 bility on information boards, security gates, or
13 paging systems;

14 “(C) updating airport terminals to increase
15 the availability of accessible seating and power
16 outlets for durable medical equipment (such as
17 powered wheelchairs);

18 “(D) updating airport websites and other
19 information communication technology to be ac-
20 cessible for individuals with disabilities; or

21 “(E) increasing the number of elevators,
22 including elevators that move power wheelchairs
23 to an aircraft;

24 “(2) improve the operations of, provide effi-
25 ciencies of service to, and enhance the use of com-

1 mercial service airports for individuals with disabil-
2 ities;

3 “(3) establish a disability advisory committee,
4 as defined in subsection (h);

5 “(4) make improvements in personnel, infra-
6 structure, and technology that can assist passenger
7 self-identification regarding disability and needing
8 assistance; and

9 “(5) address equity of service to all passengers
10 regardless of income, age, race, or ability, taking
11 into account historical and current service gaps for
12 low-income passengers, older individuals, passengers
13 from communities of color, and passengers with dis-
14 abilities.

15 “(f) COORDINATION WITH DISABILITY ADVOCACY
16 ENTITIES.—In administering grants under this section,
17 the Secretary shall encourage—

18 “(1) engagement with disability advocacy enti-
19 ties (such as the sponsor’s disability advisory com-
20 mittee) and a protection and advocacy system for in-
21 dividuals with disabilities in the applicable State, a
22 center for independent living, or a similar nonprofit
23 organization focused on ensuring individuals with
24 disabilities are able to live and participate in their
25 communities; and

1 “(2) assessments of accessibility or assessments
2 of planned modifications to commercial service air-
3 ports to the extent merited by the scope of the cap-
4 ital project of the sponsor proposed to be assisted
5 under this section, taking into account any such as-
6 sessment already conducted by the Federal Aviation
7 Administration.

8 “(g) FEDERAL SHARE OF COSTS.—The Govern-
9 ment’s share of allowable project costs for a project car-
10 ried out with a grant under this section shall be the Gov-
11 ernment’s share of allowable project costs specified under
12 section 47109.

13 “(h) DEFINITIONS.—In this section:

14 “(1) CENTER FOR INDEPENDENT LIVING.—The
15 term ‘center for independent living’ has the meaning
16 given the term in section 702 of the Rehabilitation
17 Act of 1973 (29 U.S.C. 796a).

18 “(2) DISABILITY ADVISORY COMMITTEE.—The
19 term ‘disability advisory committee’ means a body of
20 stakeholders (including airport staff, airline rep-
21 resentatives, and individuals with disabilities) that
22 provide to airports and appropriate transportation
23 authorities input from individuals with disabilities,
24 including identifying opportunities for removing bar-
25 riers, expanding accessibility features and improving

1 accessibility for individuals with disabilities at air-
2 ports.

3 “(3) PROTECTION AND ADVOCACY SYSTEM.—

4 The term ‘protection and advocacy system’ means
5 such a system established in accordance with section
6 143 of the Developmental Disabilities Assistance
7 and Bill of Rights Act of 2000 (42 U.S.C. 15043).

8 “(i) FUNDING.—Notwithstanding any other provision
9 of this chapter, for each of fiscal years 2024 through
10 2028, \$20,000,000 of the amounts that would otherwise
11 be used to make grants from the discretionary fund under
12 section 47115 for each such fiscal year shall be used by
13 the Secretary to carry out this section for each such fiscal
14 year.”.

15 (b) CONFORMING AMENDMENT.—The analysis for
16 subchapter I of chapter 471 of title 49, United States
17 Code, is amended by inserting after the item relating to
18 section 47144 the following:

“47145. Pilot program for airport accessibility.”.

19 **SEC. 611. GENERAL AVIATION PUBLIC-PRIVATE PARTNER-**
20 **SHIP PROGRAM.**

21 (a) IN GENERAL.—Subchapter I of chapter 471 of
22 title 49, United States Code, as amended by section
23 610(a), is amended by inserting after section 47145, the
24 following

1 **“§ 47146. General aviation public-private partnership**
2 **program**

3 “(a) IN GENERAL.—The Secretary of Transportation
4 shall establish a program that meets the requirements
5 under this section for improving facilities at—

6 “(1) general aviation airports; and

7 “(2) privately owned airports used or intended
8 to be used for public purposes that do not have
9 scheduled air service.

10 “(b) APPLICATION REQUIRED.—The operator or
11 sponsor of an airport, or the community in which an air-
12 port is located, seeking, on behalf of the airport, to partici-
13 pate in the program established under subsection (a), shall
14 submit an application to the Secretary in such form, at
15 such time, and containing such information as the Sec-
16 retary may require, including—

17 “(1) an assessment of the needs of the airport
18 for additional or improved hangars, airport busi-
19 nesses, or other facilities;

20 “(2) the ability of the airport to leverage pri-
21 vate sector investments on the airport or develop
22 public-private partnerships to build or improve facili-
23 ties at the airport; and

24 “(3) if the application is submitted by a com-
25 munity, evidence that the airport supports the appli-
26 cation.

1 “(c) LIMITATION.—

2 “(1) STATE LIMIT.—Not more than 4 airports
3 in the same State may be selected in any fiscal year
4 to participate in the program established under sub-
5 section (a).

6 “(2) DOLLAR AMOUNT LIMIT.—Not more than
7 \$500,000 shall be made available for any airport in
8 any fiscal year under the program established under
9 subsection (a).

10 “(3) COST SHARE REQUIREMENT.—The Fed-
11 eral cost share for this program shall be no more
12 than 50 percent.

13 “(d) PRIORITIES.—In selecting airports for partici-
14 tion in the program established under subsection (a), the
15 Secretary shall give priority to airports at which—

16 “(1) the operator or sponsor of the airport, or
17 the community in which the airport is located—

18 “(A) will provide a portion of the cost of
19 the project for which assistance is sought under
20 the program from local sources;

21 “(B) will employ best business practices in
22 developing or implementing a public-private
23 partnership; or

1 “(C) has established, or will establish, a
2 public-private partnership to build or improve
3 facilities at the airport; or

4 “(2) the assistance will be used in a timely
5 fashion.

6 “(e) TYPES OF ASSISTANCE.—The Secretary may
7 use amounts made available under this section—

8 “(1) to provide assistance to market an airport
9 to private entities or individuals in order to leverage
10 private sector investments or develop public-private
11 partnerships for the purposes of building or improv-
12 ing hangars, businesses, or other facilities at the air-
13 port;

14 “(2) to fund studies that consider what meas-
15 ures an airport should take to attract private sector
16 investment at the airport; or

17 “(3) to participate in a partnership described in
18 paragraph (1) or an investment described in para-
19 graph (2).

20 “(f) AUTHORITY TO MAKE AGREEMENTS.—The Sec-
21 retary may enter into agreements with airports and enti-
22 ties entering into partnerships with airports under this
23 section to provide assistance under this section.

24 “(g) FUNDING.—Notwithstanding any other provi-
25 sion of this chapter, for each of fiscal years 2024 through

1 2028, \$5,000,000 of the amounts that would otherwise be
2 used to make grants from the discretionary fund under
3 section 47115 for each such fiscal year shall be used by
4 the Secretary to carry out this section for each such fiscal
5 year.”.

6 (b) CLERICAL AMENDMENT.—The analysis for chap-
7 ter 471 of such title, as amended by section 610(b), is
8 amended by inserting after the item relating to section
9 47145 the following:

“47146. General aviation public-private partnership program.”.

10 **SEC. 612. RUNWAY REHABILITATION.**

11 The Administrator shall—

12 (1) not restrict funding to resurface the full
13 length of an existing runway within the State of
14 Alaska based solely on reduced current or forecast
15 aeronautical activity levels or critical design type
16 standards;

17 (2) within 60 days review requests for runway
18 rehabilitation or reconstruction projects at airports
19 on a case-by-case basis; and

20 (3) not reject requests for projects with critical
21 community needs, such as projects in rural commu-
22 nities and villages off the road system, or economic
23 development projects to expand a runway to meet
24 new demands.

1 **SEC. 613. EXTENSION OF PROVISION RELATING TO AIR-**
2 **PORT ACCESS ROADS IN REMOTE LOCA-**
3 **TIONS.**

4 Section 162 of the FAA Reauthorization Act of 2018
5 (49 U.S.C. 47102 note) is amended, in the matter pre-
6 ceding paragraph (1), by striking “through 2023” and in-
7 serting “through 2028”.

8 **SEC. 614. PROCUREMENT REGULATIONS APPLICABLE TO**
9 **FAA MULTIMODAL PROJECTS.**

10 (a) IN GENERAL.—Any multimodal airport develop-
11 ment project that uses grant funding from funds made
12 available to the FAA to carry out subchapter I of chapter
13 471 of title 49, United States Code, or airport infrastruc-
14 ture projects under the Infrastructure Investment and
15 Jobs Act (Public Law 117–58) shall abide by the procure-
16 ment regulations applicable to—

17 (1) the FAA; and

18 (2) subject to subsection (b), the component of
19 the project relating to transit, highway, or rail, re-
20 spectively.

21 (b) MULTIPLE COMPONENT PROJECTS.—In the case
22 of a multimodal airport development project described in
23 subsection (a) that involves more than 1 component de-
24 scribed in paragraph (2) of that subsection, such project
25 shall only be required to apply the procurement regula-

1 tions applicable to the component where the greatest
2 amount of Federal financial assistance will be expended.

3 **SEC. 615. SOLAR POWERED TAXIWAY EDGE LIGHTING SYS-**
4 **TEMS.**

5 Not later than 2 years after the date of enactment
6 of this section, the Administrator shall issue an engineer-
7 ing brief describing the acceptable use of durable long-
8 term solar powered taxiway edge lighting systems at basic
9 nonprimary airports (as defined in appendix C of the
10 2023-2027 National Plan of Integrated Airport Systems
11 published by the FAA on September 30, 2022).

12 **SEC. 616. ADDITIONAL GROUND BASED TRANSMITTERS.**

13 Notwithstanding any other provision of law, the Ad-
14 ministrator is authorized to and shall waive any positive
15 benefit-cost ratio requirement for providing additional
16 ground based transmitters for Automatic Dependent Sur-
17 veillance–Broadcasts (ADS–B) to provide a minimum
18 operational network in Alaska along major flight routes.

19 **SEC. 617. AUTOMATED WEATHER OBSERVING SYSTEMS**
20 **MAINTENANCE IMPROVEMENTS.**

21 Section 533 of the FAA Reauthorization Act of 2018
22 (49 U.S.C. 44720 note) is amended—

23 (1) by redesignating subsections (d) and (e) as
24 subsections (f) and (g), respectively; and

1 (2) by inserting after subsection (c), the fol-
2 lowing:

3 “(d) MAINTENANCE IMPROVEMENTS.—

4 “(1) IN GENERAL.—Not later than 18 months
5 after the date of enactment of this subsection, the
6 Administrator shall identify and implement reason-
7 able alternative mitigations to improve maintenance
8 of FAA-owned weather observing systems which ex-
9 perience frequent service outages, including associ-
10 ated surface communication outages.

11 “(2) SPARE PARTS AVAILABILITY.—The mitiga-
12 tions identified by the Administrator shall improve
13 spare parts availability, including consideration of
14 storage of more spare parts in the region of the
15 equipment.

16 “(3) APPLICATION.—This subsection shall
17 apply only to airports located in non-contiguous
18 States.

19 “(e) NOTICE OF OUTAGES.—

20 “(1) IN GENERAL.—Not later than 18 months
21 after the date of enactment of this subsection, the
22 Administrator shall update FAA Order 7930.2 No-
23 tices to Air Missions, or any successive order, to in-
24 corporate weather system outages for Automated
25 Weather Observing Systems and Automated Surface

1 Observing Systems associated with Service A Out-
2 ages.

3 “(2) APPLICATION.—This subsection shall
4 apply only to airports located in non-contiguous
5 States.”.

6 **SEC. 618. CONTRACT TOWER PROGRAM.**

7 Section 47124 of title 49, United States Code, as
8 amended by section 528, is amended—

9 (1) in subsection (b)(3), by adding at the end
10 the following:

11 “(H) PERIOD FOR COMPLETION OF AN
12 OPERATIONAL READINESS INSPECTION.—The
13 Federal Aviation Administration shall provide
14 airport sponsors that show good faith efforts to
15 join the Contract Tower Program 7 years to
16 complete an Operational Readiness Inspection
17 after receiving a benefit-to-cost ratio.”;

18 (2) by redesignating subsection (f) as sub-
19 section (h);

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

22 “(f) IMPROVING SITUATIONAL AWARENESS.—

23 “(1) IN GENERAL.—The Administrator of the
24 Federal Aviation Administration shall allow air traf-
25 fic controllers at Federal Contract Towers to use

1 technology to improve situational awareness includ-
2 ing, but not limited to, using Standard Terminal Au-
3 tomation Replacement System (STARS) radar dis-
4 plays, Automatic Dependent Surveillance-Broadcast
5 (ADS-B), Flight Data Input/Output (FDIOs), and
6 Automatic Terminal Information System (ATIS).

7 “(2) REQUIREMENTS.—To help facilitate the
8 integration of the equipment described in paragraph
9 (1), the Administrator shall—

10 “(A) establish a set of standards that en-
11 sures safety for use of the equipment described
12 in paragraph (1) for the purpose of increased
13 situational awareness;

14 “(B) identify multiple approved vendors
15 for such equipment if practicable; and

16 “(C) partner with contract tower providers
17 to define an appropriate initial training pro-
18 gram to ensure that any tower radar displays,
19 ADS-B displays, or other equipment are cor-
20 rectly integrated into Federal Contract Tower
21 operations.

22 “(g) LIABILITY INSURANCE.—

23 “(1) IN GENERAL.—The Secretary shall consult
24 with industry experts, including air traffic control
25 contractors and aviation insurance professionals, to

1 determine adequate limits of liability for the Con-
2 tract Tower Program, including during the period
3 described in paragraph (2) with respect to the deter-
4 mination of adequate excess liability insurance under
5 paragraph (2)(B).

6 “(2) INTERIM STEPS.—During the period that
7 begins on the date of enactment of this subsection
8 and ends on the date the Secretary submits the re-
9 port required by paragraph (3), the Secretary shall
10 require air traffic control contractors to have ade-
11 quate excess liability insurance (as determined by
12 the Secretary in consultation with industry experts
13 under paragraph (1)) to ensure resilience should a
14 major accident occur.

15 “(3) REPORT.—Not later than 6 months after
16 the date of enactment of this subsection, the Sec-
17 retary shall submit a report to the appropriate com-
18 mittees of Congress on the findings, conclusions, and
19 actions taken and planned to be taken to carry out
20 this subsection.

21 “(4) APPROPRIATE COMMITTEES OF CON-
22 GRESS.—For purpose of this subsection, the term
23 ‘appropriate committees of Congress’ (as defined in
24 subsection (f)(3)) includes the Committee on Appro-

1 appropriations of the Senate and the Committee on Ap-
2 propriations of the House of Representatives.”.

3 **SEC. 619. REMOTE TOWERS.**

4 (a) IN GENERAL.—Section 47124 of title 49, United
5 States Code, as amended by sections 528 and 618, is
6 amended—

7 (1) by redesignating subsection (h) as sub-
8 section (i); and

9 (2) by inserting after subsection (g) (as added
10 by section 725), the following:

11 “(h) MILESTONES FOR DESIGN APPROVAL OF RE-
12 MOTE TOWERS.—

13 “(1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of this subsection, the
15 Administrator of the Federal Aviation Administra-
16 tion shall create a structured program and publish
17 milestones to achieve system design approval for a
18 remote tower system.

19 “(2) REQUIREMENTS.—In carrying out sub-
20 paragraph (A), the Administrator shall—

21 “(A) rely on support from the Airports Of-
22 fice of the Federal Aviation Administration and
23 the Air Traffic Organization of the Federal
24 Aviation Administration, including the Air

1 Traffic Services Service Unit and the Technical
2 Operations Service Unit; and

3 “(B) not later than September 30, 2024,
4 expand validation and certification of system
5 design approval for a digital or remote tower
6 system to three locations outside of the William
7 J. Hughes Technical Center, as specified in sec-
8 tion 161 of the FAA Reauthorization Act of
9 2018 (49 U.S.C. 47104 note).”.

10 (b) CONFORMING AMENDMENTS.—Section 47124(b)
11 of title 49, United States Code, is amended—

12 (1) in paragraph (3)(B)(ii), by inserting “or a
13 remote airport traffic control tower that has received
14 System Design Approval (SDA) from the Federal
15 Aviation Administration” after “ an operating air
16 traffic control tower”; and

17 (2) in each of clauses (i)(III) and (ii)(III) of
18 paragraph (4)(A), by inserting “or remote air traffic
19 control tower equipment that has received System
20 Design Approval (SDA) from the Federal Aviation
21 Administration” after “certified by the Federal
22 Aviation Administration”.

23 **SEC. 620. GRANT ASSURANCES.**

24 Section 47107(a) of title 49, United States Code, is
25 amended—

1 (1) in paragraph (7), by striking the semicolon
2 and inserting “, such that there are no unsafe prac-
3 tices or conditions as determined by the Secretary;”;

4 (2) in paragraph (20), by striking “and” after
5 the semicolon;

6 (3) in paragraph (21), by striking the period at
7 the end and inserting a semicolon; and

8 (4) by inserting after paragraph (21), the fol-
9 lowing:

10 “(22) the airport owner or operator will require
11 a fixed based operator, which operates at the airport
12 and also operates facilities at 3 or more additional
13 public-use airports where fuel, parking, and other re-
14 lated services are offered to general aviation aircraft,
15 will publicly disclose on a continuous basis all its
16 prices and fees for the use of its services, products,
17 and facilities at the airport and that the disclosure
18 will—

19 “(A) be made in an open and conspicuous
20 manner;

21 “(B) be made available at the point of pur-
22 chase, in print, and on the internet; and

23 “(C) include all retail, discounted, or other
24 such prices and fees charged and whether such
25 prices and fees are accepted as payment in full

1 for the products, services, and facilities fur-
2 nished to airport users;

3 “(23) the airport owner or operator will not im-
4 pose unreasonable fees for transient aircraft parking
5 that exceed the airport’s cost to operate and main-
6 tain the area where such transient aircraft may
7 park; and

8 “(24) the airport owner or operator will con-
9 tinue to make available to general aviation aircraft
10 all types of fuel, which were available to such air-
11 craft at that airport at any time during calendar
12 year 2022, until the earlier of—

13 “(A) December 31, 2030; or

14 “(B) the date on which a replacement for
15 100 octane Low Lead aviation gas for use by
16 piston-driven aircraft is widely available for use,
17 as determined by the Secretary.”.

18 **SEC. 621. CIVIL PENALTIES FOR GRANT ASSURANCES VIO-**
19 **LATIONS.**

20 Section 46301(a) of title 49, United States Code, is
21 amended—

22 (1) in paragraph (1)(A), by inserting “section
23 47107(a)(7) (including any assurance made under
24 such section), section 47107(a)(24) (including any

1 assurance made under such section),” after “chapter
2 451,”; and

3 (2) by inserting after paragraph (7), the fol-
4 lowing:

5 “(8) FAILURE TO OPERATE AND MAINTAIN AIR-
6 PORTS AND FACILITIES SUITABLY.—

7 “(A) Notwithstanding paragraph (1), the
8 maximum civil penalty for a violation of section
9 47107(a)(7) (including any assurance made
10 under such section) committed by a person, in-
11 cluding if the person is an individual or small
12 business concern, shall be \$25,000.

13 “(B) In determining the amount of a civil
14 penalty under paragraph (1) related to a viola-
15 tion of section 47107(a)(7) (including any as-
16 surance made under such section), the Sec-
17 retary of Transportation shall take into account
18 any mitigating circumstances at the airport and
19 facilities on or connected with the airport.

20 “(9) FAILURE TO CONTINUE OFFERING AVIA-
21 TION FUEL.—Notwithstanding paragraph (1), the
22 maximum civil penalty for a violation of section
23 47107(a)(24) (including any assurance made under
24 such section) committed by a person, including if the
25 person is an individual or a small business concern,

1 shall be \$5,000 for each day that the person is in
2 violation of that section.”.

3 **SEC. 622. COMMUNITY USE OF AIRPORT LAND.**

4 Section 47107(v) of title 49, United States Code, is
5 amended—

6 (1) in paragraph (1)—

7 (A) by striking “subsection (a)(13)” and
8 inserting “subsections (a)(13), (b), and (c)”;

9 (B) by striking “the sponsor has entered”
10 and inserting “the sponsor has—

11 “(A) entered”;

12 (C) by striking “market value.” and insert-
13 ing “market value; or”; and

14 (D) by adding at the end the following:

15 “(B) permanently restricted the use of air-
16 port property to compatible recreational and
17 public park use without paying or otherwise ob-
18 taining payment of fair market value for the
19 property.”;

20 (2) in paragraph (2)—

21 (A) by redesignating subparagraphs (A)
22 through (H) as clauses (i) through (viii), re-
23 spectively, and moving the left margins of each
24 such clause 2 ems to the right;

1 (B) by striking “This subsection shall
2 apply only—” and inserting the following:

3 “(A) AGREEMENTS.—Paragraph (1)(A)
4 shall apply only—”; and

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

6 “(B) RESTRICTIONS.—Paragraph (1)(B)
7 shall apply only—

8 “(i) to airport property that was pur-
9 chased using funds from a Federal grant
10 for acquiring land issued prior to Decem-
11 ber 30, 1987;

12 “(ii) to airport property that has been
13 continuously used for recreational or public
14 park uses since January 1, 1995;

15 “(iii) if the airport sponsor has pro-
16 vided a written statement to the Adminis-
17 trator that the property to be permanently
18 restricted for recreational and public park
19 use is not needed for any aeronautical use
20 at the time the written statement is pro-
21 vided and is not expected to be needed for
22 any aeronautical use at any time in the fu-
23 ture;

1 “(iv) if the recreational and public
2 park use will not impact the aeronautical
3 use of the airport;

4 “(v) if the airport sponsor provides a
5 certification that the sponsor is not respon-
6 sible for operations, maintenance, or any
7 other costs associated with the recreational
8 or public park use;

9 “(vi) if the recreational purpose is
10 consistent with Federal land use compat-
11 ibility criteria under section 47502;

12 “(vii) if the airport sponsor has con-
13 tinuously leased the property since Janu-
14 ary 1, 1995, to a local government entity
15 to operate and maintain the property at no
16 cost to the airport sponsor; and

17 “(viii) if the airport sponsor will—

18 “(I) continue to lease the prop-
19 erty to a local government entity to
20 operate and maintain the property at
21 no cost to the airport sponsor; or

22 “(II) transfer title to the prop-
23 erty to a local government entity sub-
24 ject to a permanent deed restriction

1 ensuring compatible airport use under
2 the criteria of section 47502.”; and

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

4 “(4) AERONAUTICAL USE; AERONAUTICAL PUR-
5 POSE DEFINED.—

6 “(A) IN GENERAL.—In this subsection, the
7 terms ‘aeronautical use’ and ‘aeronautical pur-
8 pose’ mean all activities that involve or are di-
9 rectly related to the operation of aircraft, in-
10 cluding activities that make the operation of
11 aircraft possible and safe.

12 “(B) INCLUSION OF SERVICES LOCATED
13 ON AN AIRPORT.—Such terms include services
14 located on an airport that are directly and sub-
15 stantially related to the movement of pas-
16 sengers, baggage, mail, and cargo.

17 “(C) EXCLUSIONS.—Such terms shall not
18 include any uses of an airport that are not de-
19 scribed in subparagraph (A) or (B), including
20 any aviation-related uses that do not need to be
21 located on an airport, such as flight kitchens
22 and airline reservation centers.”.

23 **SEC. 623. BUCKEYE 940 RELEASE OF DEED RESTRICTIONS.**

24 (a) PURPOSE.—The purpose of this section is to au-
25 thorize the Secretary to issue a Deed of Release from all

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 (c) RELEASE OF ANY AND ALL INTEREST IN BUCK-
21 EYE 940.—

22 (1) IN GENERAL.—Notwithstanding any other
23 provision of law, the United States, acting through
24 the Secretary, shall issue to the State of Arizona a
25 Deed of Release to release all terms, conditions, res-

1 ervations, restrictions, and obligations contained in
2 the Quitclaim Deed, including any and all rever-
3 sionary interest of the United States in Buckeye
4 940.

5 (2) TERMS AND CONDITIONS.—The Deed of
6 Release described in paragraph (1) shall be subject
7 to such additional terms and conditions, consistent
8 with such paragraph, as the Secretary considers ap-
9 propriate to protect the interests of the United
10 States.

11 (3) NO RESTRICTION ON USE OF PROCEEDS.—
12 Notwithstanding any other provision of law, the
13 State of Arizona may dispose of Buckeye 940 and
14 any proceeds thereof, including proceeds already col-
15 lected by the State and held in a suspense account,
16 without regard to any restriction imposed by the
17 Quitclaim Deed or by section 155.7 of title 14, Code
18 of Federal Regulations.

19 (4) MINERAL RESERVATION.—The Deed of Re-
20 lease described in paragraph (1) shall include the re-
21 lease of all interests of the United States to the min-
22 eral rights on Buckeye 940 included in the Quit-
23 claim Deed.

1 **SEC. 624. CLARIFYING AIRPORT REVENUE USE OF LOCAL**
2 **GENERAL SALES TAXES.**

3 (a) WRITTEN ASSURANCES ON REVENUE USE.—Sec-
4 tion 47107(b) of title 49, United States Code, is amended
5 by adding at the end the following:

6 “(4) This subsection does not apply to local
7 general sales taxes as provided in section
8 47133(b)(4).”.

9 (b) RESTRICTION ON USE OF REVENUES.—Section
10 47133(b) of title 49, United States Code, is amended by
11 adding at the end the following:

12 “(4) LOCAL GENERAL SALES TAXES.—Sub-
13 section (a) shall not apply to revenues from gen-
14 erally applicable sales taxes imposed by a local gov-
15 ernment provided—

16 “(A) the local government had a generally
17 applicable sales tax that did not exclude avia-
18 tion fuel in effect prior to December 9, 2014;

19 “(B) the local government is not a sponsor
20 of a public airport; and

21 “(C) a large hub airport, which had more
22 than 35,000,000 enplanements in calendar year
23 2021, is located within the jurisdiction of the
24 local government.”.

1 **SEC. 625. AIP HANDBOOK REVIEW.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this section, the Associate Adminis-
4 trator for Airports of the FAA, in consultation with the
5 Governor of Alaska, shall identify reasonable exceptions
6 to the AIP Handbook to be implemented by the FAA to
7 meet unique regional circumstances and advance the safe-
8 ty needs of airports in Alaska, including with respect to
9 the following:

10 (1) Snow Removal Equipment Building
11 (SREB) size and configuration.

12 (2) Expansion of lease areas.

13 (3) Shared governmental use of airport equip-
14 ment in remote locations.

15 (4) Ensuring the resurfacing or reconstruction
16 of legacy runways to support—

17 (A) aircraft necessary to support critical
18 health needs of a community;

19 (B) remote fuel deliveries; and

20 (C) firefighting response.

21 (5) The use of runway end identifier lights at
22 locations throughout the State.

23 (b) UPDATES TO AIP HANDBOOK.—

24 (1) IN GENERAL.—Not later than 60 days after
25 the date on which the Associate Administrator for
26 Airports of the FAA identifies reasonable exceptions

1 under subsection (a), the Administrator shall update
2 the AIP Handbook to incorporate such exceptions to
3 meet the unique circumstances and safety needs of
4 airports in Alaska.

5 (2) CONSULTATION.—The Administrator shall
6 consult with the Regional Administrator of the FAA
7 Alaskan Region prior to issuing the update to the
8 AIP Handbook required by this section.

9 **SEC. 626. PFAS-RELATED RESOURCES FOR AIRPORTS.**

10 (a) PFAS REPLACEMENT PROGRAM FOR AIR-
11 PORTS.—Not later than 90 days after the date on which
12 the Department of Defense approves a fluorine-free fire-
13 fighting agent to the Qualified Products' List for products
14 meeting Military Specification MIL-PRE-32725, dated
15 January 12, 2023, the Secretary shall establish a PFAS
16 replacement program, in consultation with the Adminis-
17 trator of the Environmental Protection Agency, and sub-
18 ject to terms, conditions, and assurances acceptable to the
19 Secretary, to reimburse eligible airports for the reasonable
20 and appropriate costs associated with any of the following:

21 (1) The one-time initial acquisition by an eligi-
22 ble airport of fluorine-free firefighting alternatives
23 for—

24 (A) the capacity of all required aircraft
25 rescue and firefighting (ARFF) equipment list-

1 ed in the most recent FAA-approved Airport
2 Certification Manual, regardless of how the
3 equipment was initially acquired; and

4 (B) twice the quantity carried onboard
5 each required truck available in the fire station
6 for the eligible airport

7 (2) The disposal of per- or polyfluoroalkyl prod-
8 ucts, including fluorinated aqueous film-forming
9 agents, to the extent such disposal is necessary to
10 facilitate the transition to an acceptable fluorine-free
11 agent, including, but not limited to, aqueous film-
12 forming agents currently in fire-fighting equipment,
13 vehicles, and wastewater generated during the clean-
14 ing of fire-fighting equipment and vehicles.

15 (3) Cleaning or disposal of existing equipment
16 or components thereof, to the extent such cleaning
17 or disposal is necessary to facilitate the transition to
18 an acceptable fluorine-free agent.

19 (4) Any equipment or components thereof nec-
20 essary to facilitate the transition to an acceptable
21 fluorine-free agent.

22 (5) Replacement of aircraft rescue and fire-
23 fighting (ARFF) equipment as determined by the
24 Secretary as necessary to be replaced.

25 (b) DISTRIBUTION OF FUNDS.—

1 (1) GRANTS TO REPLACE ARFF VEHICLES.—

2 (A) IN GENERAL.—The Secretary shall re-
3 serve up to \$30,000,000 of the amounts appro-
4 priated to carry out the PFAS replacement pro-
5 gram to make grants to each eligible airport
6 that is designated under part 139 as an Index
7 A airport and does not have existing capabilities
8 to produce fluorine-free foam, to replace air-
9 craft rescue and firefighting (ARFF) vehicles.

10 (B) AMOUNT.—No grant made to an eligi-
11 ble airport under subparagraph (A) shall exceed
12 \$2,000,000.

13 (2) REMAINDER.—

14 (A) DETERMINATION OF NEED.—With re-
15 spect to the amount of firefighting foam con-
16 centrate required for foam production commen-
17 surate with applicable aircraft rescue and fire-
18 fighting (ARFF) equipment required in accord-
19 ance with the most recent FAA-approved Air-
20 port Certification Manual, the Secretary shall
21 determine—

22 (i) the total amount of such con-
23 centrate required for all of the Federally
24 required aircraft rescue and firefighting
25 (ARFF) vehicles that meet index require-

1 ments under part 139 of each eligible air-
2 port, in gallons; and

3 (ii) the total amount of nationwide
4 firefighting foam concentrate, in gallons.

5 (B) DETERMINATION OF GRANT
6 AMOUNTS.—From the amounts appropriated to
7 carry out the PFAS replacement program that
8 remain after the application of paragraph (1),
9 the Secretary shall make a grant to each eligi-
10 ble airport of the amount equal to the product
11 of—

12 (i) the amount of such remaining
13 funds; and

14 (ii) the ratio of the amount deter-
15 mined under subparagraph (A)(i) for such
16 eligible airport to the amount determined
17 under subparagraph (A)(ii).

18 (c) PROGRAM REQUIREMENTS.—

19 (1) IN GENERAL.—The Secretary shall deter-
20 mine the eligibility of costs payable under the PFAS
21 replacement program by taking into account all en-
22 gineering, technical, and environmental protocols
23 and generally accepted industry standards that are
24 developed or established for fluorine-free foams.

1 (2) COMPLIANCE WITH APPLICABLE LAW.—All
2 actions related to the acquisition, disposal, and tran-
3 sition to fluorine-free foams, including the cleaning
4 and disposal of equipment, shall be conducted in full
5 compliance with all applicable Federal laws in effect
6 at the time of obligation in order to be eligible for
7 reimbursement under the PFAS replacement pro-
8 gram.

9 (3) GOVERNMENT SHARE.—The Government’s
10 share of allowable costs under the PFAS replace-
11 ment program shall be 100 percent.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—

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

16 (2) REQUIREMENTS.—Amounts appropriated to
17 carry out the PFAS replacement program shall—

18 (A) remain available for expenditure for a
19 period of 5 fiscal years; and

20 (B) be available in addition to any other
21 funding available for similar purposes under
22 any other Federal, State, local, or Tribal pro-
23 gram.

24 (e) DEFINITIONS.—In this section:

1 (1) ELIGIBLE AIRPORT.—The term “eligible
2 airport” means an airport holding an Airport Oper-
3 ating Certificate issued under part 139.

4 (2) PART 139.—The term “part 139” means
5 part 139 of title 14, Code of Federal Regulations.

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

9 **SEC. 627. PROGRESS REPORTS ON THE NATIONAL TRANSI-**
10 **TION PLAN RELATED TO A FLUORINE-FREE**
11 **FIREFIGHTING FOAM.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of enactment of this section, and every 180 days
14 thereafter until the progress report termination date de-
15 scribed in subsection (c), the Administrator, in consulta-
16 tion with the Administrator of the Environmental Protec-
17 tion Agency and the Secretary of Defense, shall submit
18 to the appropriate committees of Congress a progress re-
19 port on the development and implementation of a national
20 transition plan related to a fluorine-free firefighting foam
21 that meets the performance standards referenced in chap-
22 ter 6 of AC No: 150/5210-6D and is acceptable under sec-
23 tion 139.319(l) of title 14, Code of Federal Regulations,
24 for use at part 139 airports.

1 (b) REQUIRED INFORMATION.—Each progress report
2 required by subsection (a) shall include the following:

3 (1) An assessment of the progress made by the
4 FAA with respect to providing part 139 airports
5 with—

6 (A) guidance from the Environmental Pro-
7 tection Agency on acceptable environmental lim-
8 its relating to such fluorine-free firefighting
9 foam;

10 (B) guidance from the Department of De-
11 fense on that department's transition to a fluo-
12 rine-free firefighting foam;

13 (C) best practices for the decontamination
14 of existing aircraft rescue and firefighting vehi-
15 cles, systems, and other equipment used to de-
16 ploy firefighting foam at part 139 airports; and

17 (D) timelines for the release of policy and
18 guidance relating to part 139 airport implemen-
19 tation plans for obtaining approved military
20 specification products and firefighting personnel
21 training.

22 (2) A comprehensive list of the amount of roll-
23 ing stock of firefighting foam at each part 139 air-
24 port as of the date of the submission of the progress

1 report and the number of gallons regularly kept in
2 reserve at each such airport.

3 (3) An assessment of the progress made by the
4 FAA with respect to providing airports that are not
5 part 139 airports and local authorities with respon-
6 sibility for inspection and oversight with guidance
7 described in subparagraphs (A) and (B) of para-
8 graph (1) as it relates to the use of fluorine-free
9 firefighting foam at such airports.

10 (4) Such other information as the Adminis-
11 trator determines appropriate.

12 (c) **PROGRESS REPORT TERMINATION DATE.**—For
13 purposes of subsection (a), the progress report termi-
14 nation date described in this subsection is the date on
15 which the Administrator notifies the appropriate commit-
16 tees of Congress that development and implementation of
17 the national transition plan described in subsection (a) is
18 complete.

19 (d) **DEFINITION.**—In this section, the term “part 139
20 airport” means an airport certified under part 139 of title
21 14, Code of Federal Regulations.

22 **SEC. 628. REVIEW OF AIRPORT LAYOUT PLANS.**

23 (a) **IN GENERAL.**—Section 163 of the FAA Reau-
24 thorization Act of 2018 (49 U.S.C. 47107 note) is amend-
25 ed—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) [Reserved].”; and

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

6 “(b) [Reserved].”.

7 (b) AIRPORT LAYOUT PLAN APPROVAL AUTHOR-
8 ITY.—Section 47107 of title 49, United States Code, is
9 amended—

10 (1) in subsection (a)(16)—

11 (A) by striking subparagraph (B) and in-
12 serting the following:

13 “(B) subject to subsection (x), the Sec-
14 retary will review and approve or disapprove the
15 plan and any revision or modification of the
16 plan before the plan, revision, or modification
17 takes effect;”; and

18 (B) in subparagraph (C)(i), by striking
19 “subparagraph (B)” and inserting “subsection
20 (x)”; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(x) SCOPE OF THE SECRETARY’S AIRPORT LAYOUT
24 PLAN REVIEW AND APPROVAL AUTHORITY.—

1 “(1) AUTHORITY OVER PROJECTS ON LAND AC-
2 QUIRED WITHOUT FEDERAL ASSISTANCE.—For pur-
3 poses of subsection (a)(16)(B), with respect to any
4 project proposed on land acquired by an airport
5 owner or operator without Federal assistance, the
6 Secretary may only review and approve or dis-
7 approve those portions of the plan (or any subse-
8 quent revision to the plan) that—

9 “(A) materially impact the safe and effi-
10 cient operation of aircraft at, to, or from the
11 airport;

12 “(B) adversely affect the safety of people
13 or property on the ground as a result of aircraft
14 operations; or

15 “(C) adversely affect the value of prior
16 Federal investments to a significant extent.

17 “(2) LIMITATION ON NON-AERONAUTICAL RE-
18 VIEW.—If only a portion of a project proposed by an
19 airport owner or operator is subject to the Sec-
20 retary’s review and approval under subsection
21 (a)(16)(B), the Secretary shall not extend review
22 and approval authority to other non-aeronautical
23 portions of the project.

24 “(3) NOTICE.—

1 “(A) IN GENERAL.—An airport owner or
2 operator shall submit to the Secretary a notice
3 of intent to proceed with a proposed project (or
4 a portion thereof) that is outside of the Sec-
5 retary’s review and approval authority, as de-
6 scribed in this subsection.

7 “(B) FAILURE TO OBJECT.—If not later
8 than 45 days after receiving the notice of intent
9 described in subparagraph (A), the Secretary
10 fails to object to such notice, the proposed
11 project (or portion thereof) shall be deemed as
12 being outside the scope of the Secretary’s re-
13 view and approval authority under subsection
14 (a)(16)(B).”.

15 **SEC. 629. NEPA PURPOSE AND NEED STATEMENTS.**

16 (a) IN GENERAL.—To the extent that the FAA is the
17 lead Federal agency for preparation of an environmental
18 impact statement or an environmental assessment under
19 provisions of the National Environmental Policy Act of
20 1969 (42 U.S.C. 4321 et seq.) where an action or approval
21 from more than one Federal agency is required, the FAA
22 shall develop its draft purpose and need statement for the
23 project not later than 45 days after—

1 (1) the submission of the airport sponsor’s ap-
2 appropriately completed proposed purpose and need de-
3 scription; and

4 (2) any appropriately completed proposed revi-
5 sion to a development project that affects the pur-
6 pose and need description previously prepared or ac-
7 cepted by the FAA.

8 (b) ASSISTANCE.—The Administrator shall provide
9 all airport sponsors with technical assistance in drafting
10 purpose and need statements and necessary supporting
11 documentation for projects involving Federal approvals
12 from more than one Federal agency.

13 **SEC. 630. PASSENGER FACILITY CHARGE STREAMLINING.**

14 (a) IN GENERAL.—Section 40117 of title 49, United
15 States Code, is amended—

16 (1) in subsection (b)—

17 (A) in paragraph (1), by striking “The
18 Secretary” and inserting “Except as set forth
19 in the streamlining process described in sub-
20 section (l), the Secretary”;

21 (B) by striking paragraph (4);

22 (C) by redesignating paragraphs (5)
23 through (7) as paragraphs (4) through (6), re-
24 spectively;

25 (D) in paragraph (5), as so redesignated—

1 (i) by striking “paragraphs (1) and
2 (4)” and inserting “paragraph (1)”; and

3 (ii) by striking “paragraph (1) or (4)”
4 and inserting “paragraph (1)”; and

5 (E) in paragraph (6)(A), as so redesign-
6 nated—

7 (i) by striking “paragraphs (1), (4),
8 and (6)” and inserting “paragraphs (1)
9 and (5)”; and

10 (ii) by striking “paragraph (1) or (4)”
11 and inserting “paragraph (1)”;
12 (2) in subsection (e)(1)—

13 (A) in subparagraph (A), by inserting “, or
14 a passenger facility charge imposition is author-
15 ized under subsection (l)” after “of this sec-
16 tion”; and

17 (B) in subparagraph (B), by inserting
18 “reasonable” after “subject to”; and

19 (3) in subsection (l)—

20 (A) in the subsection heading, by striking
21 **“Pilot Program for Passenger Facility**
22 **Charge Authorizations”** and inserting
23 “PASSENGER FACILITY CHARGE STREAM-
24 LINING”;

1 (B) by striking paragraph (1) and insert-
2 ing the following:

3 “(1) IN GENERAL.—The Secretary shall pre-
4 scribe regulations to streamline the process for au-
5 thorizing eligible agencies for airports to impose pas-
6 senger facility charges. An eligible agency may im-
7 pose a passenger facility charge in accordance with
8 the provisions of this subsection instead of using the
9 procedures otherwise provided in this section.”;

10 (C) by striking paragraph (4) and insert-
11 ing the following:

12 “(4) ACKNOWLEDGMENT OF RECEIPT AND IN-
13 DICATION OF OBJECTION.—

14 “(A) IN GENERAL.—The Secretary shall
15 acknowledge receipt of the notice and indicate
16 any objection to the imposition of a passenger
17 facility charge under this subsection for any
18 project identified in the notice within 30 days
19 after receipt of the eligible agency’s notice.

20 “(B) PROHIBITED OBJECTION.—The Sec-
21 retary may not object to an eligible airport-re-
22 lated project that received Federal financial as-
23 sistance for airport development, terminal devel-
24 opment, airport planning, or for the purposes of
25 noise compatibility, provided that the Federal

1 financial assistance and passenger facility
2 charge collection (including interest and other
3 returns on the revenue) does not exceed the
4 total cost of the project.

5 “(C) ALLOWED OBJECTION.—The Sec-
6 retary may only object to the imposition of a
7 passenger facility charge under this subsection
8 for a project that—

9 “(i) establishes significant policy
10 precedent;

11 “(ii) raises significant legal issues;

12 “(iii) garners significant controversy,
13 as evidenced by significant opposition to
14 the proposed action by the applicant or
15 other airport authorities, airport users,
16 governmental agencies, elected officials, or
17 communities;

18 “(iv) raises significant revenue diver-
19 sion, airport noise, or access issues, includ-
20 ing compliance with section 47111(e) or
21 subchapter II of chapter 475 of title 49,
22 United States Code; or

23 “(v) includes multimodal compo-
24 nents.”;

25 (D) by striking paragraph (6); and

1 (E) by redesignating paragraph (7) as
2 paragraph (6).

3 (b) RULEMAKING.—Not later than 120 days after the
4 date of enactment of this section, the Administrator shall
5 commence a rulemaking to implement the amendments
6 made by subsection (a).

7 (c) INTERIM GUIDANCE.—The interim guidance es-
8 tablished in FAA Memorandum “PFC 73-20. Streamlined
9 Procedures for Passenger Facility Charge (PFC) Author-
10 izations at Small-, Medium-, and Large-Hub Airports.”
11 (issued January 22, 2020), as modified by subsection (a),
12 shall remain in effect until the effective date of the final
13 rule promulgated under subsection (b).

14 **SEC. 631. USE OF PASSENGER FACILITY CHARGES FOR**
15 **NOISE BARRIERS.**

16 Section 40117(a)(3) of title 49, United States Code,
17 is amended by adding at the end the following:

18 “(H) A project at a small hub airport for
19 a noise barrier where the day–night average
20 sound level from commercial, general aviation,
21 or cargo operations is expected to exceed 55
22 decibels as a result of new airport develop-
23 ment.”.

1 **SEC. 632. AUTOMATED WEATHER OBSERVING SYSTEMS**
2 **POLICY.**

3 Not later than 60 days after the date of enactment
4 of this section, the Administrator shall establish a process
5 to collaborate with the Director of the National Weather
6 Service to expedite the Automated Surface Observing Sys-
7 tems (ASOS) and the Service Life Extension Program
8 (SLEP) and ensure adequate spare parts and personnel
9 are available for timely response to outages.

10 **SEC. 633. INFRASTRUCTURE INVESTMENT AND JOBS ACT**
11 **IMPLEMENTATION.**

12 (a) **IN GENERAL.**—Not later than 180 days after the
13 date of enactment of this section, the Secretary shall dis-
14 tribute administrative funding to assist States partici-
15 pating in the State block grant program in accordance
16 with section 47128 of title 49, United States Code, with
17 program implementation of airport infrastructure projects
18 under the Infrastructure Investment and Jobs Act (Public
19 Law 117–58).

20 (b) **FUNDING SOURCE.**—Administrative funds to
21 States under this section shall be distributed from the
22 funds made available in the Infrastructure Investment and
23 Jobs Act for personnel, contracting, and other costs to ad-
24 minister and oversee grants of the Airport Infrastructure
25 Grants, Contract Tower Competitive Grant Program, and
26 Airport Terminal Program.

1 (c) ADMINISTRATIVE FUNDS.—With respect to ad-
2 ministrative funds made available for fiscal years 2022
3 through 2026—

4 (1) the amount of administrative funds avail-
5 able for distribution under subsection (b) shall be an
6 amount equal to a percentage determined by the
7 Secretary, but not less than 2 percent, of the annual
8 allocations provided under the heading “AIRPORT IN-
9 FRASTRUCTURE GRANTS” under the heading “FED-
10 ERAL AVIATION ADMINISTRATION” in title VIII of
11 division J of the Infrastructure Investment and Jobs
12 Act (Public Law 117–58; 135 Stat. 1416) to non-
13 primary airports participating in the State’s block
14 grant program each fiscal year of the Airport Infra-
15 structure Grant program;

16 (2) administrative funds distributed under sub-
17 section (b) shall be used by such States to—

18 (A) administer and oversee, as outlined in
19 the Memorandum of Agreement or current
20 agreements between the FAA and the State, all
21 airport grant program funds provided under the
22 Infrastructure Investment and Jobs Act to non-
23 primary airports participating in the State’s
24 block grant program, whether through direct al-
25 location or through competitive selection; and

1 (B) carry out the public purposes of sup-
2 porting eligible and justified airport develop-
3 ment and infrastructure projects as provided in
4 the Infrastructure Investment and Jobs Act;
5 and

6 (3) except as provided in subsection (d), such
7 administrative funds shall be distributed to such
8 States through a cooperative agreement executed be-
9 tween the State and the FAA not later than Decem-
10 ber 1 of each fiscal year in which the Infrastructure
11 Investment and Jobs Act provides airport grant pro-
12 gram funds.

13 (d) INITIAL DISTRIBUTION.—With respect to admin-
14 istrative funds made available for fiscal years 2022 and
15 2023, funds available as of the date of enactment of this
16 section shall be distributed to such States through a coop-
17 erative agreement executed between the State and the
18 FAA not later than 30 days after such date of enactment.

19 **SEC. 634. REPORT ON AIRPORT NOTIFICATIONS.**

20 Not later than 90 days after the date of enactment
21 of this section, the Administrator shall submit to the ap-
22 propriate committees of Congress a report on the FAA's
23 progress with respect to—

24 (1) collecting more accurate data in notices of
25 construction, alteration, activation, and deactivation

1 of airports as required under part 157 of title 14,
2 Code of Federal Regulations; and

3 (2) making the database under part 157 of title
4 14, Code of Federal Regulations, more accurate and
5 useful for aircraft operators, particularly for heli-
6 copter and rotary wing type aircraft operators.

7 **SEC. 635. COASTAL AIRPORTS RESILIENCY STUDY.**

8 (a) STUDY.—The Administrator shall work with the
9 Administrator of the National Oceanic and Atmospheric
10 Administration and the United States Army Corps of En-
11 gineers to identify best practices for, and study the feasi-
12 bility of, improving resiliency of airports in coastal or
13 flood-prone areas.

14 (b) REPORT.—Not later than 2 years after the date
15 of enactment of this section, the Administrator shall sub-
16 mit to Congress a report describing the results of the
17 study conducted under subsection (a), together with such
18 recommendations for legislation or administrative action
19 as the Administrator determines appropriate.

20 **SEC. 636. SURVEY OF POWER DISTRIBUTION CAPACITY.**

21 Section 47140(a) of title 49, United States Code, is
22 amended by inserting “power distribution capacity and lo-
23 cation,” after “back-up power,”.

1 **SEC. 637. STUDY ON COMPETITION AND AIRPORT ACCESS.**

2 Not later than 180 days after the date of enactment
3 of this section, the Secretary shall report to the appro-
4 priate committees of Congress—

5 (1) specific actions the Secretary and the Ad-
6 ministrator, using existing legal authority, can take
7 to expand access for lower cost passenger air car-
8 riers to capacity constrained airports in the United
9 States, including, but not limited to, New York John
10 F. Kennedy International Airport (JFK) and New
11 York/Newark Liberty International Airport (EWR);
12 and

13 (2) any additional legal authority the Secretary
14 and the Administrator require in order to make ad-
15 ditional slots at JFK and runway timings at EWR
16 available to lower cost passenger air carriers.

17 **SEC. 638. REGIONAL AIRPORT CAPACITY STUDY.**

18 (a) IN GENERAL.—Not later than 90 days after the
19 date of enactment of this section, the Administrator shall
20 initiate a study on the following:

21 (1) Existing FAA policy and guidance that gov-
22 ern the siting of new airports or the transition of
23 general aviation airports to commercial service.

24 (2) Ways that existing regulations and policies
25 could be streamlined to facilitate the development of
26 new airport capacity, particularly in high-demand air

1 travel regions looking to invest in new airport capac-
2 ity.

3 (3) Whether Federal funding sources (existing
4 as of the date of enactment of this section) that are
5 authorized by the Secretary could be used for such
6 purposes.

7 (4) Whether such Federal funding sources meet
8 the needs of the national airspace system for adding
9 new airport capacity outside of the commercial serv-
10 ice airports in operation as of the date of enactment
11 of this section.

12 (5) If such Federal funding sources are deter-
13 mined by the Administrator to be insufficient for the
14 purposes described in this subsection, an estimate of
15 the funding gap.

16 (b) REPORT.—Not later than 1 year after the date
17 of enactment of this section, the Administrator shall sub-
18 mit to the appropriate committees of Congress a report
19 on the results of the study conducted under subsection (a),
20 together with recommendations for such legislative or ad-
21 ministrative action as the Administrator determines ap-
22 propriate.

23 (c) GUIDANCE.—Not later than 18 months after the
24 date of enactment of this section, the Administrator shall
25 revise FAA guidance to incorporate the findings of the

1 study conducted under subsection (a) to assist airports
2 and State and local departments of transportation in in-
3 creasing airport capacity to meet regional air travel de-
4 mand.

5 **SEC. 639. STUDY ON AUTONOMOUS AND ELECTRIC-POW-**
6 **ERED TRACK SYSTEMS.**

7 (a) STUDY.—The Administrator shall conduct a
8 study to develop a standard for autonomous and electric-
9 powered track systems that—

10 (1) are located underneath the pavement at an
11 airport; and

12 (2) allow a transport category aircraft to taxi
13 without the use of the main engines of the aircraft.

14 (b) REPORT.—Not later than 2 years after the date
15 of enactment of this section, the Administrator shall sub-
16 mit to the appropriate committees of Congress a report
17 detailing the results of the study conducted under sub-
18 section (a), together with recommendations for such legis-
19 lation and administrative action as the Administrator de-
20 termines appropriate.

21 **SEC. 640. SPECIAL RULE FOR RECLASSIFICATION OF CER-**
22 **TAIN UNCLASSIFIED AIRPORTS.**

23 (a) REQUEST FOR RECLASSIFICATION.—

24 (1) IN GENERAL.—Not later than September
25 30, 2024, a privately owned reliever airport (as de-

1 fined in section 47102 of title 49, United States
2 Code) that is identified as unclassified in the Na-
3 tional Plan of Integrated Airport Systems, 2023–
4 2027 (as published under section 47103 of title 49,
5 United States Code) may submit to the Secretary a
6 request to reclassify the airport according to the cri-
7 teria used to classify a public airport.

8 (2) REQUIRED INFORMATION.—In submitting a
9 request under paragraph (1), the privately owned re-
10 liever airport shall include the following information:

11 (A) A sworn statement and accompanying
12 documentation that demonstrates how the air-
13 port would satisfy the requirements of FAA
14 Order 5090.5, titled “Formulation of the
15 NPLAS and ACIP”, (or any successor guid-
16 ance) to be classified as “Local” or “Basic” if
17 the airport was publicly owned.

18 (B) A report that—

19 (i) identifies the role of the airport to
20 the aviation system; and

21 (ii) describes the long-term fiscal via-
22 bility of the airport based on demonstrated
23 aeronautical activity and associated reve-
24 nues relative to ongoing operating and
25 maintenance costs.

1 (b) ELIGIBILITY REVIEW.—

2 (1) IN GENERAL.—Not later than 60 days after
3 receiving a request from a privately owned reliever
4 airport under subsection (a), the Secretary shall per-
5 form an eligibility review with respect to the airport,
6 including an assessment of the airport’s safety, secu-
7 rity, capacity, access, compliance with Federal grant
8 assurances, and protection of natural resources and
9 the quality of the environment, as prescribed by the
10 Secretary.

11 (2) PUBLIC SPONSOR.—In performing the eligi-
12 bility review under paragraph (1), the Secretary—

13 (A) may require the airport requesting re-
14 classification to provide information regarding
15 the outlook (whether positive or negative) for
16 transferring the airport to a public sponsor; and

17 (B) may not require the airport to obtain
18 a public sponsor.

19 (c) RECLASSIFICATION BY THE SECRETARY.—

20 (1) IN GENERAL.—Not later than 60 days after
21 receiving a request from a privately owned reliever
22 airport under subsection (a)(1), the Secretary shall
23 grant such request if the following criteria are met:

24 (A) The request includes the required in-
25 formation under subsection (a)(2).

1 (B) The privately owned reliever airport, to
2 the satisfaction of the Secretary passes the eli-
3 gibility review performed under subsection (b).

4 (2) CORRECTIVE ACTION PLAN.—

5 (A) IN GENERAL.—With respect to a pri-
6 vately owned reliever airport that does not, to
7 the satisfaction of the Secretary, pass the eligi-
8 bility review performed under subsection (b),
9 the Secretary shall provide notice of disapproval
10 to such airport not later than 60 days after re-
11 ceiving the request under subsection (a)(1), and
12 such airport may resubmit to the Secretary a
13 reclassification request along with a corrective
14 action plan that—

15 (i) resolves any shortcomings identi-
16 fied in such eligibility review; and

17 (ii) proves that any necessary correc-
18 tive action has been completed by the air-
19 port.

20 (B) EVALUATION.—Not later than 60 days
21 after receiving a corrective action plan under
22 subparagraph (A), the Secretary shall grant the
23 reclassification request of any privately owned
24 reliever airport if such airport submit such cor-

1 corrective action plan to the satisfaction of the
2 Secretary.

3 (d) **EFFECTIVE DATE.**—The reclassification of any
4 privately owned reliever airport under this section shall
5 take effect not later than—

6 (1) fiscal year 2025 for any request granted
7 under subsection (c)(1); and

8 (2) fiscal year 2026 for any request granted
9 after the submission of a corrective action plan
10 under subsection (c)(2).

11 **SEC. 641. GENERAL AVIATION AIRPORT RUNWAY EXTEN-**
12 **SION PILOT PROGRAM.**

13 (a) **IN GENERAL.**—Subchapter I of chapter 471 of
14 title 49, United States Code, as amended by section
15 611(a), is amended by adding at the end the following new
16 section:

17 **“§ 47147. General aviation program runway extension**
18 **pilot program.**

19 “(a) **ESTABLISHMENT.**—Not later than 120 days
20 after the date of enactment of this section, the Secretary
21 of Transportation shall establish a pilot program to pro-
22 vide grants to general aviation airports to increase usable
23 the runway length capability at such airports in order to—

24 “(1) expand access to such airports for larger
25 aircraft; and

1 “(2) support the development and economic via-
2 bility of such airports.

3 “(b) GRANTS.—

4 “(1) IN GENERAL.—For the purpose of car-
5 rying out the pilot program established in subsection
6 (a), the Secretary shall make grants to not more
7 than 2 sponsors of general aviation airports per fis-
8 cal year.

9 “(2) USE OF FUNDS.—A sponsor of a general
10 aviation airport shall use a grant awarded under this
11 section to plan, design, or construct a project to ex-
12 tend an existing primary runway by not greater than
13 1,000 feet to a sufficient length to accommodate
14 large turboprop or turbojet aircraft that cannot be
15 accommodated with the existing runway length.

16 “(3) ELIGIBILITY.—To be eligible to receive a
17 grant under this section, a sponsor of a general avia-
18 tion airport shall submit an application to the Sec-
19 retary at such time, in such form, and containing
20 such information as the Secretary may require.

21 “(4) SELECTION.—In selecting an applicant for
22 a grant under this section, the Secretary shall
23 prioritize projects that demonstrate that the existing
24 runway length at the airport is—

1 “(A) inadequate to support the near-term
2 operations of 1 or more business entities oper-
3 ating at the airport as of the date of submission
4 of such application;

5 “(B) a direct aircraft operational impedi-
6 ment to airport economic viability, job creation
7 or retention, or local economic development;
8 and

9 “(C) not located within 20 miles of another
10 National Plan of Integrated Airport Systems
11 airport with comparable runway length.

12 “(c) PROJECT JUSTIFICATION.—A project that dem-
13 onstrates the criteria described in subsection (b) shall be
14 considered a justified cost with respect to the pilot pro-
15 gram, notwithstanding—

16 “(1) any benefit-cost analysis required under
17 section 47115(d) of title 49, United States Code; or

18 “(2) a project justification determination de-
19 scribed in section 3 of chapter 3 of FAA Order
20 5100.38D, Airport Improvement Program Handbook
21 (dated September 30, 2014).

22 “(d) FEDERAL SHARE.—The Government’s share of
23 allowable project costs for a project carried out with a
24 grant under this section shall be the Government’s share
25 of allowable project costs specified under section 47109.

1 “(e) REPORT TO CONGRESS.—Not later than 5 years
2 after the establishment of the pilot program under sub-
3 section (a), the Secretary shall submit to the Committee
4 on Commerce, Science, and Transportation of the Senate
5 and the Committee on Transportation and Infrastructure
6 of the House of Representatives a report that evaluates
7 the pilot program, including—

8 “(1) information regarding the level of appli-
9 cant interest in grants for increasing runway length;

10 “(2) the number of large aircraft that accessed
11 each general aviation airport that received a grant
12 under the pilot program in comparison to the num-
13 ber of such aircraft that accessed the airport prior
14 to the date of enactment of this Act, based on data
15 provided by the airport sponsor to the Secretary not
16 later than 6 months prior to the due date of such
17 report to Congress; and

18 “(3) a description, provided by the airport
19 sponsor to the Secretary not later than 6 months
20 prior to the due date of such report to Congress, of
21 the economic development opportunities supported
22 by increasing the runway length at general aviation
23 airports.

24 “(f) FUNDING.—

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

2 “(5) foreign air carriers; and

3 “(6) nonprofit public interest groups with ex-
4 pertise in disability and accessibility matters.”.

5 **SEC. 702. UNREALISTIC OR DECEPTIVE SCHEDULING.**

6 (a) IN GENERAL.—Section 41712 of title 49, United
7 States Code, is amended by adding at the end the fol-
8 lowing new subsection:

9 “(d) UNREALISTIC OR DECEPTIVE SCHEDULING.—It
10 shall be an unfair or deceptive practice and an unfair
11 method of competition under subsection (a) for any air
12 carrier or foreign air carrier providing scheduled pas-
13 senger air transportation to engage in unrealistic or decep-
14 tive scheduling of flights, as determined by the Secretary
15 of Transportation subject to an investigation and finding,
16 if any, that an air carrier or foreign air carrier engaged
17 in the unrealistic or deceptive scheduling of flights.”.

18 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion shall be construed to limit the authority of the Sec-
20 retary under section 41712(a) of title 49, United States
21 Code, or the ability of the Secretary to act pursuant to
22 the authority under section 399.81 of title 14, Code of
23 Federal Regulations, with respect to any activity of an air
24 carrier or foreign air carrier that occurred prior to the

1 date of enactment of subsection (d) of section 41712 of
2 such title 49, as added by subsection (a) of this section.

3 (c) AVIATION CONSUMER PROTECTION ADVISORY
4 COMMITTEE RECOMMENDATIONS.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of enactment of this section, the Secretary
7 shall require the Aviation Consumer Protection Ad-
8 visory Committee to provide to the Secretary rec-
9 ommendations regarding the types of practices or
10 circumstances that qualify as unrealistic or deceptive
11 scheduling of flights, including whether scheduling
12 flights in light of technological deficiencies or work-
13 force shortcomings that were known to an air carrier
14 or foreign air carrier at the time of such scheduling
15 qualifies as unrealistic or deceptive scheduling.

16 (2) RULEMAKING.—Not later than 90 days
17 after receiving the recommendations under para-
18 graph (1), the Secretary shall initiate a rulemaking
19 to implement any such recommendations determined
20 appropriate by the Secretary.

21 **SEC. 703. REFUNDS.**

22 (a) IN GENERAL.—Chapter 423 of title 49, United
23 States Code, is amended by inserting after section 42304
24 the following:

1 **“§ 42305. Refunds for cancelled or significantly de-**
2 **layed or changed flights**

3 “(a) IN GENERAL.—In the case of a passenger that
4 holds a nonrefundable ticket on a scheduled flight to,
5 from, or within the United States, an air carrier or a for-
6 eign air carrier shall, upon request of the passenger,
7 promptly provide a full refund, including any taxes and
8 ancillary fees, for the fare such carrier collected for any
9 cancelled flight or significantly delayed or changed flight
10 where the passenger chooses not to—

11 “(1) fly on the significantly delayed or changed
12 flight or accept rebooking on an alternative flight; or

13 “(2) accept any voucher, credit, or other form
14 of compensation offered by the air carrier or foreign
15 air carrier pursuant to subsection (c).

16 “(b) TIMING OF REFUND.—Any refund required
17 under subsection (a) shall be issued by the air carrier or
18 foreign air carrier—

19 “(1) in the case of a ticket purchased with a
20 credit card, not later than 7 business days after the
21 request for the refund; or

22 “(2) in the case of a ticket purchased with cash
23 or another form of payment, not later than 20 days
24 after the request for the refund.

25 “(c) ALTERNATIVE TO REFUND.—An air carrier and
26 a foreign air carrier may offer a voucher, credit, or other

1 form of compensation as an alternative to providing a re-
2 fund required by subsection (a) but only if the offer in-
3 cludes a clear and conspicuous notice of—

4 “(1) the terms of the offer; and

5 “(2) the passenger’s right to a full refund
6 under this section.

7 “(d) SIGNIFICANTLY DELAYED OR CHANGED
8 FLIGHT.—In defining ‘significantly delayed or changed
9 flight’ for purposes of this section, the Secretary shall en-
10 sure that such term includes, at a minimum, a flight where
11 the passenger arrives at a destination airport—

12 “(1) in the case of a domestic flight, 3 or more
13 hours after the original scheduled arrival time; and

14 “(2) in the case of an international flight, 6 or
15 more hours after the original scheduled arrival time.

16 “(e) APPLICATION TO TICKET AGENTS.—Not later
17 than 1 year after the date of enactment of this section,
18 the Secretary of Transportation shall issue a final rule to
19 apply refund requirements to ticket agents in the case of
20 cancelled flights and significantly delayed or changed
21 flights.

22 **“§ 42306. Refund portal**

23 “(a) IN GENERAL.—Not later than the date that is
24 270 days after the date of enactment of this section, the
25 Secretary of Transportation shall require covered entities

1 to prominently display at the top of the homepage of the
2 covered entity’s public internet website a link that pas-
3 sengers eligible for a refund may use to request a refund.

4 “(b) COVERED ENTITY DEFINED.—In this sub-
5 section, the term ‘covered entity’ means—

6 “(1) an air carrier or foreign air carrier that
7 provides scheduled passenger air transportation by
8 operating an aircraft that as originally designed has
9 a passenger capacity of 30 or more seats; and

10 “(2) a ticket agent that sells scheduled pas-
11 senger service on an aircraft that as originally de-
12 signed has a passenger capacity of 30 or more
13 seats.”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
15 ter 423 of title 49, United States Code, is amended by
16 inserting after the item relating to section 42304 the fol-
17 lowing:

“42305. Refunds for cancelled or significantly delayed or changed flights.

“42306. Refund Portal.”.

18 **SEC. 704. AIRLINE PASSENGER RIGHTS TRANSPARENCY**
19 **ACT.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) Air travel is an essential part of modern
22 life, and passengers have certain rights and protec-
23 tions under the law.

1 (2) Passengers are often not aware of such
2 rights and protections under the law.

3 (3) To address this problem, airports, air car-
4 riers, and foreign air carriers must provide clear and
5 concise information regarding passenger rights in a
6 manner that is easily accessible and understandable
7 to all passengers.

8 (b) TRANSPARENCY REQUIREMENTS.—

9 (1) CONSUMER COMPLAINTS.—Section 42302
10 of title 49, United States Code, is amended by add-
11 ing at the end the following new subsection:

12 “(f) NOTICE TO PASSENGERS ON ELECTRONIC
13 FLIGHT ITINERARY TICKET CONFIRMATION.—Each air
14 carrier and foreign air carrier shall provide on any elec-
15 tronic flight itinerary ticket confirmation issued by the
16 carrier a link to the Aviation Consumer Protection website
17 and the Air Travel Service Complaint or Comment Form
18 website of the Department of Transportation.”.

19 (2) KNOW YOUR RIGHTS POSTERS.—

20 (A) IN GENERAL.—Chapter 423 of title
21 49, United States Code, as amended by section
22 703(a), is amended by inserting after section
23 42306 the following:

1 **“§ 42307. Know your rights posters**

2 “(a) IN GENERAL.—Each large hub airport, medium
3 hub airport, and small hub airport (as such terms are de-
4 fined in section 40102) with scheduled passenger service
5 shall prominently display posters that clearly and concisely
6 outline the rights of airline passengers under Federal law
7 with respect to, at a minimum—

8 “(1) flight delays and cancellations;

9 “(2) refunds;

10 “(3) bumping of passengers from flights and
11 the oversale of flights; and

12 “(4) lost, delayed, or damaged baggage.

13 “(b) LOCATION.—Such posters shall be displayed in
14 conspicuous locations throughout the airport, including
15 ticket counters, security checkpoints, and boarding
16 gates.”.

17 (B) CLERICAL AMENDMENT.—The analysis
18 for chapter 423 of title 49, United States Code,
19 as amended by section 703(b), is amended by
20 inserting after the item relating to section
21 42306 the following:

“42307. Know your rights posters.”.

22 (3) EFFECTIVE DATE.—The amendments made
23 by this subsection shall take effect on the date that
24 is 1 year after the date of enactment of this section.

1 **SEC. 705. DISCLOSURE OF ANCILLARY FEES.**

2 (a) FLEXIBILITY.—

3 (1) IN GENERAL.—In determining whether a
4 practice is an unfair or deceptive practice under sec-
5 tion 41712 of title 49, United States Code, with re-
6 spect to the disclosure of ancillary fees, the Sec-
7 retary, shall provide air carriers, foreign air carriers,
8 and ticket agents with the flexibility to develop the
9 manner in which such information is transmitted to
10 consumers as long as such information (consistent
11 with the objective of assuring that consumers are
12 provided with useable, current, and accurate infor-
13 mation on critical ancillary fees in a format that the
14 consumer can easily compare multiple flight options)
15 is—

16 (A) presented to the consumer in a reason-
17 able and transparent manner prior to booking;
18 and

19 (B) displayed in a format that assists the
20 consumer in making more informed decisions.

21 (2) CRITICAL ANCILLARY FEES DEFINED.—For
22 purposes of paragraph (1), the term “critical ancil-
23 lary fees” means—

24 (A) fees for—

25 (i) the first and second checked bag of
26 an airline passenger;

1 (ii) one carry-on bag of an airline pas-
2 senger;

3 (iii) changing or canceling a reserva-
4 tion; and

5 (iv) adjacent seating when traveling
6 with a child that is 13 years of age or
7 younger; and

8 (B) any other fees for ancillary services
9 that are identified by the Secretary in the rule
10 finalizing the proposed rule published by the
11 Secretary on March 3, 2023, and titled “En-
12 hancing Transparency of Airline Ancillary Serv-
13 ice Fees” (88 Fed. Reg. 13389) as being crit-
14 ical to consumers in choosing among air trans-
15 portation options.

16 (b) TICKET AGENTS.—The Secretary shall not find
17 that a ticket agent is out of compliance with a requirement
18 in the final rule described in subsection (a)(2)(B) with re-
19 spect to the disclosure of critical ancillary fees if the Sec-
20 retary determines that such noncompliance is due to the
21 failure of an air carrier or foreign air carrier to provide
22 the ticket agent with the information required to comply
23 with such requirement.

1 **SEC. 706. ACCESS TO CUSTOMER SERVICE ASSISTANCE FOR**
2 **ALL TRAVELERS.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) In the event of a cancelled or delayed flight,
5 it is important for customers to be able easily access
6 information about the status of their flight and any
7 alternative flight options.

8 (2) During a period of mass cancellations, cus-
9 tomers may be unable to easily connect, either in-
10 person or through a toll-free customer service phone
11 number, with a customer service representative of an
12 air carrier.

13 (3) While many air carriers have robust online
14 and smart phone application chat resources, many
15 customers may not have access to those resources,
16 and customers often have time-sensitive questions
17 that cannot be answered through an automated serv-
18 ice or website.

19 (4) Not all customers of air carriers are able to
20 easily use online and chat resources.

21 (5) Customers should be able to access real-
22 time assistance from customer service agents of air
23 carriers without an excessive wait time, particularly
24 during times of mass disruptions.

25 (b) TRANSPARENCY REQUIREMENTS.—

1 (1) CONSUMER COMPLAINTS.—Section 42302
2 of title 49, United States Code, as amended by sec-
3 tion 704(b), is amended by adding at the end the
4 following new subsection:

5 “(g) NOTICE TO PASSENGERS ON ELECTRONIC
6 FLIGHT ITINERARY TICKET CONFIRMATION.—Each air
7 carrier and foreign air carrier shall provide on any elec-
8 tronic flight itinerary ticket confirmation issued by the
9 carrier a link to the Aviation Consumer Protection website
10 and the Air Travel Service Complaint or Comment Form
11 website of the Department of Transportation.”.

12 (2) REQUIREMENT TO MAINTAIN A LIVE CUS-
13 TOMER CHAT OR MONITORED TEXT MESSAGING
14 NUMBER.—

15 (A) IN GENERAL.—Chapter 423 of title
16 49, United States Code, as amended by section
17 704(b), is amended by inserting after section
18 42307 the following:

19 **“§42308. Requirement to maintain a live customer**
20 **chat or monitored text messaging num-**
21 **ber**

22 “(a) REQUIREMENT.—

23 “(1) IN GENERAL.—A covered air carrier that
24 operates a domestic or international flight to, from,
25 or within the United States shall, in addition to

1 maintaining a toll-free customer service telephone
2 line, maintain a live customer chat or monitored text
3 messaging number that enables customers to speak
4 to a live agent directly.

5 “(2) PROVISION OF SERVICES.—The services
6 required under subsection (a) shall be provided to
7 customers without charge for the use of such serv-
8 ices, and shall be available in real time and on a 24
9 hour/7 days a week basis.

10 “(b) RULEMAKING AUTHORITY.—The Secretary shall
11 promulgate such rules as may be necessary to carry out
12 this section.

13 “(c) COVERED AIR CARRIER DEFINED.—In this sec-
14 tion, the term ‘covered air carrier’ means an air carrier
15 that provides scheduled passenger air transportation by
16 operating an aircraft that as originally designed has a pas-
17 senger capacity of 30 or more seats.

18 “(d) EFFECTIVE DATE.—Beginning on the date that
19 is 120 days after the date of enactment of this section,
20 a covered air carrier shall comply with the requirement
21 specified in subsection (b) without regard to whether the
22 Secretary has promulgated any rules to carry out this sec-
23 tion as of the date that is 120 days after such date of
24 enactment.”.

1 (B) CLERICAL AMENDMENT.—The analysis
2 for chapter 423 of title 49, United States Code,
3 as amended by section 704(b), is amended by
4 inserting after the item relating to section
5 42307 the following:

“42308. Requirement to maintain a live customer chat or monitored text mes-
saging number.”.

6 **SEC. 707. FREQUENT FLYER PROGRAMS AND VOUCHERS.**

7 (a) IN GENERAL.—Chapter 423 of title 49, United
8 States Code, as amended by section 706(b), is amended
9 by inserting after section 42308 the following new section:

10 **“§ 42309. Frequent flyer programs**

11 “(a) REDUCTION IN BENEFITS.—An air carrier may
12 not reduce or devalue the benefits, rewards, points, or
13 other accrued value of an existing account holder of a fre-
14 quent flyer program unless the air carrier provides such
15 account holder not less than 90 days notice of such reduc-
16 tion or devaluation.

17 “(b) EXPIRATION OF BENEFITS.—

18 “(1) INITIAL NOTIFICATION.—Upon the
19 issuance of any flight voucher or flight credit, an air
20 carrier or ticket agent, where applicable, shall notify
21 the recipient of such voucher or credit of the expira-
22 tion date of the voucher or credit.

23 “(2) SUBSEQUENT NOTIFICATION.—Not less
24 than 30 days before the expiration date of any flight

1 voucher or flight credit issued by an air carrier or
2 ticket agent, the air carrier or ticket agent shall
3 make a reasonable attempt to notify the recipient of
4 such voucher or credit of the expiration date of the
5 voucher or credit.

6 “(c) DEFINITION OF FREQUENT FLYER PROGRAM.—
7 In this section, the term ‘frequent flyer program’ means
8 a program in which an air carrier promises or offers bene-
9 fits, rewards, points, or other accrued value for tickets
10 purchased from the air carrier.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 423 of such title, as amended by section 706(b), is
13 amended by inserting after the item relating to section
14 42308 the following:

“42309. Frequent flyer programs.”.

15 **SEC. 708. AIRLINE CUSTOMER SERVICE DASHBOARDS.**

16 (a) DASHBOARDS.—

17 (1) IN GENERAL.—Chapter 423 of title 49,
18 United States Code, as amended by section 707(a),
19 is amended by inserting after section 42309 the fol-
20 lowing:

21 **“§ 42310. DOT airline customer service dashboards**

22 “(a) REQUIREMENT TO ESTABLISH AND MAINTAIN
23 PUBLICLY AVAILABLE DASHBOARDS.—The Secretary of
24 Transportation (in this section referred to as the ‘Sec-
25 retary’) shall establish, maintain, and make publicly avail-

1 able, the following online dashboards for purposes of keep-
2 ing aviation consumers informed with respect to certain
3 policies of, and services provided by, large air carriers (as
4 defined by the Secretary) to the extent that such policies
5 or services exceed what is required by Federal law:

6 “(1) DELAY AND CANCELLATION DASH-
7 BOARD.—A dashboard that displays information re-
8 garding the services and compensation provided by
9 each large air carrier to mitigate any passenger in-
10 convenience caused by a delay or cancellation due to
11 circumstances in the control of such carrier. The
12 website on which such dashboard is displayed shall
13 explain the circumstances under which a delay or
14 cancellation is not due to circumstances in the con-
15 trol of the large air carrier (such as a delay or can-
16 cellation due to a weather event or an instruction
17 from the Federal Aviation Administration Air Traf-
18 fic Control System Command Center).

19 “(2) FAMILY SEATING DASHBOARD.—A dash-
20 board that displays information regarding which
21 large air carriers guarantee that each child shall be
22 seated adjacent to an adult accompanying the child
23 without charging any additional fees.

24 “(3) SEAT SIZE DASHBOARD.—A dashboard
25 that displays information regarding aircraft seat size

1 for each large air carrier, including the pitch, width,
2 and length of a seat in economy class for the air-
3 craft models and configurations most commonly
4 flown by such carrier.

5 “(b) BUREAU OF TRANSPORTATION STATISTICS.—

6 “(1) ATCSCC DELAYS.—Not later than 30
7 days after the date of enactment of this section, the
8 Director of the Bureau of Transportation Statistics
9 shall update the reporting framework of the Bureau
10 to create a new ‘cause of delay’ category that identi-
11 fies and tracks information on delays and cancella-
12 tions of air carriers (as defined in section 40102)
13 that are due to instructions from the Federal Avia-
14 tion Administration Air Traffic Control System
15 Command Center.

16 “(2) FAMILY SEATING COMPLAINTS.—Not later
17 than 30 days after the date of enactment of this sec-
18 tion, the Director of the Bureau of Transportation
19 Statistics shall update the reporting framework of
20 the Bureau to create a new category to identify and
21 track information on complaints related to family
22 seating.

23 “(c) AIR TRAVEL CONSUMER REPORT.—

24 “(1) ATCSCC DELAYS.—Not later than 30
25 days after the date on which the Director of the Bu-

1 reau of Transportation Statistics updates the report-
2 ing framework under subsection (b)(1), the Sec-
3 retary shall include information on delays and can-
4 cellations that are due to instructions from the Fed-
5 eral Aviation Administration Air Traffic Control
6 System Command Center in the Air Travel Con-
7 sumer Report issued by the Office of Aviation Con-
8 sumer Protection of the Department of Transpor-
9 tation.

10 “(2) FAMILY SEATING COMPLAINTS.—Not later
11 than 30 days after the date on which the Director
12 of the Bureau of Transportation Statistics updates
13 the reporting framework under subsection (b)(2),
14 the Secretary shall include information on com-
15 plaints related to family seating in the Air Travel
16 Consumer Report issued by the Office of Aviation
17 Consumer Protection of the Department of Trans-
18 portation and on the family seating dashboard re-
19 quired by subsection (a)(2).

20 “(d) PROVISION OF INFORMATION.—Each large air
21 carrier shall provide to the Secretary such information as
22 the Secretary requires to carry out this section.”.

23 “(2) ESTABLISHMENT.—The Secretary shall es-
24 tablish each of the online dashboards required by
25 section 42310(a) of title 49, United States Code, not

1 later than 30 days after the date of enactment of
2 this section.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 423 of title 49, United States Code, as amended by
5 section 707(b), is amended by inserting after the item re-
6 lating to section 42309 the following:

“42310. DOT airline customer service dashboards.”.

7 **SEC. 709. ANNUAL BRIEFINGS ON DISRUPTIONS OF PAS-**
8 **SENGER AIR TRANSPORTATION AND PERI-**
9 **ODS OF MASS CANCELLATIONS OF SCHED-**
10 **ULED FLIGHTS.**

11 Section 106(g) of title 49, United States Code, is
12 amended by adding at the end the following new para-
13 graph:

14 “(3) Annually, (and more frequently as needed)
15 brief the Committee on Transportation and Infra-
16 structure of the House of Representatives and the
17 Committee on Commerce, Science, and Transpor-
18 tation of the Senate on the following:

19 “(A) The efforts, activities, objectives, and
20 plans of the Administration in continuing to ad-
21 dress ongoing concerns about passenger protec-
22 tions during operational meltdowns of air car-
23 riers and foreign air carriers.

24 “(B) The efforts of the Administration to
25 engage with Congress and the public on issues

1 related to operational meltdowns of air carriers
2 and foreign air carriers.”.

3 **SEC. 710. ENHANCING CHILD SAFETY.**

4 (a) IN GENERAL.—Not later than 2 years after the
5 date of enactment of this section, the Administrator shall
6 issue new or revised guidance that provides testing stand-
7 ards to allow for the use of a child restraint system on
8 a covered aircraft that meets such testing standards, with-
9 out regard to whether such child restraint system also
10 meets the standards set forth in section 571.213 of title
11 49, Code of Federal Regulations.

12 (b) COVERED AIRCRAFT DEFINED.—In this section,
13 the term “covered aircraft” means an aircraft that, as
14 originally designed, has a passenger capacity of 30 or
15 more seats.

16 **SEC. 711. CODIFICATION OF CONSUMER PROTECTION PRO-**
17 **VISIONS.**

18 (a) SECTION 429 OF THE FAA REAUTHORIZATION
19 ACT OF 2018.—

20 (1) IN GENERAL.—Section 429 of the FAA Re-
21 authorization Act of 2018 (49 U.S.C. 42301 note
22 prec.) is amended—

23 (A) by transferring such section to appear
24 after section 41726 of title 49, United States
25 Code;

1 (B) by redesignating such section as sec-
2 tion 41727 of such title 49; and

3 (C) by amending the section heading of
4 such section to read as follows:

5 **“§ 41727. Passenger Rights”.**

6 (2) TECHNICAL AMENDMENT.—Section 41727
7 of title 49, United States Code, as transferred and
8 redesignated by paragraph (1), is amended, in sub-
9 section (a), by striking “Not later than 90 days
10 after the date of enactment of this Act, the Sec-
11 retary” and inserting “The Secretary”.

12 (b) SECTION 434 OF THE FAA REAUTHORIZATION
13 ACT OF 2018.—

14 (1) IN GENERAL.—Section 434 of the FAA Re-
15 authorization Act of 2018 (49 U.S.C. 41705 note)
16 is amended—

17 (A) by transferring such section to appear
18 after section 41727 of title 49, United States
19 Code, as transferred and redesignated by sub-
20 section (a)(1);

21 (B) by redesignating such section 434 as
22 section 41728 of such title 49; and

23 (C) by amending the section heading of
24 such section 41728 to read as follows:

1 **“§ 41728. Airline passengers with disabilities bill of**
2 **rights”.**

3 (2) TECHNICAL AMENDMENT.—Section 41728
4 of title 49, United States Code, as transferred and
5 redesignated by paragraph (1), is amended—

6 (A) in subsection (a), by striking “the sec-
7 tion 41705” and inserting “section 41705”;

8 (B) in subsection (e), by striking “the date
9 of enactment of this Act” and inserting “the
10 date of enactment of the FAA Reauthorization
11 Act of 2018”; and

12 (C) in subsection (f), by striking “ensure
13 employees” and inserting “ensure that employ-
14 ees”.

15 (c) CLERICAL AMENDMENT.—The analysis for chap-
16 ter 417 of title 49, United States Code, is amended by
17 adding at the end the following:

“41727. Passenger rights.

“41728. Airline passengers with disabilities bill of rights.”.

18 **SEC. 712. GAO STUDY ON COMPETITION AND CONSOLIDA-**
19 **TION IN THE AIR CARRIER INDUSTRY.**

20 (a) STUDY.—The Comptroller General shall conduct
21 a study assessing competition and consolidation in the
22 United States air carrier industry. Such study shall in-
23 clude an assessment of—

1 (1) IN GENERAL.—The Comptroller General
2 shall study and assess the operational preparedness
3 of air carriers for preparing for changing weather
4 and other events related to changing conditions and
5 natural hazards, including flooding, extreme heat,
6 changes in precipitation, storms, including winter
7 storms, coastal storms, tropical storms, and hurri-
8 canes, and fire conditions.

9 (2) REQUIREMENTS.—As part of the study re-
10 quired by paragraph (1), the Comptroller General
11 shall assess the following:

12 (A) The extent to which air carriers are
13 preparing for weather events and natural disas-
14 ters, as well as changing conditions and natural
15 hazards, that may impact air carriers' oper-
16 ational investments, staffing levels and safety
17 policies, mitigation strategies, and other resil-
18 iency planning.

19 (B) How the FAA oversees air carriers'
20 operational resilience to storms and natural dis-
21 asters, as well as changing conditions.

22 (C) Steps the Federal Government and air
23 carriers can take to improve their operational
24 resilience to storms and natural disasters, as
25 well as changing conditions.

1 (b) BRIEFING AND REPORT.—

2 (1) BRIEFING.—Not later than 1 year after the
3 date of enactment of this section, the Comptroller
4 General shall brief the appropriate committees of
5 Congress on the study required by subsection (a), to-
6 gether with recommendations for such legislation
7 and administrative action as the Comptroller Gen-
8 eral determines appropriate.

9 (2) REPORT.—Not later than 6 months after
10 the briefing required by paragraph (1) is provided,
11 the Comptroller General shall submit a report to the
12 appropriate committees of Congress on the study re-
13 quired by subsection (a), together with recommenda-
14 tions for such legislation and administrative action
15 as the Comptroller General determines appropriate.

16 (c) DEFINITION OF AIR CARRIER.—In this section,
17 the term “air carrier” has the meaning given that term
18 in section 40102 of title 49, United States Code.

19 **SEC. 714. INCREASE IN CIVIL PENALTIES.**

20 (a) IN GENERAL.—Section 46301(a) of title 49,
21 United States Code, is amended, in the matter preceding
22 subparagraph (A), by striking “\$25,000” and inserting
23 “\$50,000”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply to violations occurring on or
3 after the date of enactment.

4 (c) CONFORMING REGULATIONS.—The Secretary
5 shall revise such regulations as necessary to conform to
6 the amendment made by subsection (a).

7 **SEC. 715. FAMILY SEATING.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this section, the Secretary shall issue
10 a notice of proposed rulemaking to establish a policy di-
11 recting air carriers that assign seats, or allow individuals
12 to select seats in advance of the date of departure of a
13 flight, to sit each young child adjacent to an accompanying
14 adult, to the greatest extent practicable, if adjacent seat
15 assignments are available at any time after the ticket is
16 issued for each young child and before the first passenger
17 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. 716. ESTABLISHMENT OF OFFICE OF AVIATION CON-**
10 **SUMER PROTECTION.**

11 Section 102 of title 49, United States Code, is
12 amended—

13 (1) in subsection (e)(1)—

14 (A) in the matter preceding subparagraph
15 (A), by striking “7” and inserting “8”; and

16 (B) in subparagraph (A), by striking “and
17 an Assistant Secretary for Transportation Pol-
18 icy” and inserting “an Assistant Secretary for
19 Transportation Policy, and an Assistant Sec-
20 retary for Aviation Consumer Protection”; and

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

22 “(j) OFFICE OF AVIATION CONSUMER PROTEC-
23 TION.—

24 “(1) ESTABLISHMENT.—There is established in
25 the Department an Office of Aviation Consumer

1 Protection (referred to in this subsection as the ‘Of-
2 fice’) to administer and enforce the aviation con-
3 sumer protection and civil rights authorities pro-
4 vided to the Department by statute, including those
5 under section 41712—

6 “(A) to assist, educate, and protect pas-
7 sengers;

8 “(B) to monitor compliance with, conduct
9 investigations relating to, and enforce, including
10 by taking appropriate action to address viola-
11 tions of, aviation consumer protection, civil
12 rights, and aviation economic requirements; and

13 “(C) to promulgate, as appropriate, avia-
14 tion consumer protection and civil rights regula-
15 tions.

16 “(2) LEADERSHIP.—The Office shall be headed
17 by the Assistant Secretary for Aviation Consumer
18 Protection (referred to in this subsection as the ‘As-
19 sistant Secretary’).

20 “(3) TRANSITION.—Not later than 180 days
21 after the date of enactment of this subsection, the
22 Office of Aviation Consumer Protection that is a
23 unit within the Office of the General Counsel of the
24 Department which is headed by the Assistant Gen-
25 eral Counsel for Aviation Consumer Protection, shall

1 cease to exist. The Department shall determine
2 which employees are necessary to fulfill the respon-
3 sibilities of the new Office of Aviation Consumer
4 Protection and those employees shall be transferred
5 from the Office of the General Counsel as appro-
6 priate to the newly established Office of Aviation
7 Consumer Protection. To the extent the Office of the
8 General Counsel retains any attorney or hires any
9 new attorney to advise the newly established Office
10 of Aviation Consumer Protection, those attorneys
11 will be located in the remaining offices within the
12 Office of the General Counsel.

13 “(4) COORDINATION.—The Assistant Secretary
14 shall coordinate with the General Counsel appointed
15 under subsection (e)(1)(E), in accordance with sec-
16 tion 1.26 of title 49, Code of Federal Regulations
17 (or a successor regulation), on all legal matters re-
18 lating to—

19 “(A) aviation consumer protection; and

20 “(B) the duties and activities of the Office
21 described in subparagraphs (A) through (C) of
22 paragraph (1).

23 “(5) ANNUAL REPORT.—The Assistant Sec-
24 retary shall submit to the Secretary, who shall sub-
25 mit to Congress and make publicly available on the

1 website of the Department, an annual report that,
2 with respect to matters under the jurisdiction of the
3 Department, or otherwise within the statutory au-
4 thority of the Department—

5 “(A) analyzes trends in aviation consumer
6 protection, civil rights, and licensing;

7 “(B) identifies major challenges facing
8 passengers; and

9 “(C) addresses any other relevant issues,
10 as the Assistant Secretary determines to be ap-
11 propriate.

12 “(6) FUNDING.—There is authorized to be ap-
13 propriated \$12,000,000 for fiscal year 2024,
14 \$13,000,000 for fiscal year 2025, \$14,000,000 for
15 fiscal year 2026, \$15,000,000 for fiscal year 2027,
16 and \$16,000,000 for fiscal year 2028.”

17 **Subtitle B—Accessibility**

18 **SEC. 731. EXTENSION OF THE ADVISORY COMMITTEE ON** 19 **THE AIR TRAVEL NEEDS OF PASSENGERS** 20 **WITH DISABILITIES.**

21 Section 439(g) of the FAA Reauthorization Act of
22 2018 (49 U.S.C. 41705 note) is amended by striking
23 “2023” and inserting “2028”.

1 **SEC. 732. MODERNIZATION AND IMPROVEMENTS TO AIR-**
2 **CRAFT EVACUATION.**

3 (a) STUDY.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this section, the Adminis-
6 trator shall conduct a study on improvements to the
7 safety and efficiency of evacuation standards for
8 manufacturers and carriers of transport category
9 airplanes, as described in parts 25 and 121 of title
10 14, Code of Federal Regulations.

11 (2) CONTENTS.—

12 (A) REQUIREMENTS.—The study required
13 by paragraph (1) shall include—

14 (i) a prospective risk analysis, as well
15 as an evaluation of relevant past incidents
16 with respect to evacuation safety and evac-
17 uation standards;

18 (ii) an assessment of the evacuation
19 testing procedures described in section
20 25.803 of such title 14, as well as rec-
21 ommendations for how to revise such test-
22 ing procedures to ensure that the testing
23 procedures assess, in a safe manner, the
24 ability of passengers with disabilities, in-
25 cluding those who use wheelchairs or other

1 mobility assistive devices, to safely and ef-
2 ficiently evacuate an aircraft;

3 (iii) an assessment of the evacuation
4 demonstration procedures described in
5 such part 121, as well as recommendations
6 for how to improve such demonstration
7 procedures to ensure that the demonstra-
8 tion procedures assess, in a safe manner,
9 the ability of passengers with disabilities,
10 including those who use wheelchairs or
11 other mobility assistive devices, to safely to
12 efficiently evacuate an aircraft;

13 (iv) the research proposed in National
14 Transportation Safety Board Safety Rec-
15 ommendation A-18-009; and

16 (v) any other analysis determined ap-
17 propriate by the Administrator.

18 (B) CONSIDERATIONS.—In conducting the
19 study under paragraph (1), the Administrator
20 shall assess the following:

21 (i) The ability of passengers of dif-
22 ferent ages (including infants, children,
23 and senior citizens) to safely and efficiently
24 evacuate a transport category airplane.

1 (ii) The ability of passengers of dif-
2 ferent heights and weights to safely and ef-
3 ficiently evacuate a transport category air-
4 plane.

5 (iii) The ability of passengers with
6 disabilities to safety and efficiently evac-
7 uate a transport category airplane.

8 (iv) The ability of passengers who
9 cannot speak, have difficulty speaking, use
10 synthetic speech, or are non-vocal or non-
11 verbal to safely and efficiently evacuate a
12 transport category airplane.

13 (v) The ability of passengers who do
14 not speak English to safely and efficiently
15 evacuate a transport category airplane.

16 (vi) The impact of the presence of
17 carry-on luggage and personal items (such
18 as a purse, briefcase, laptop, or backpack)
19 on the ability of passengers to safely and
20 efficiently evacuate a transport category
21 airplane.

22 (vii) The impact of seat size and pas-
23 senger seating space and pitch on the abil-
24 ity of passengers to safely and efficiently
25 evacuate a transport category airplane.

1 (viii) The impact of seats and other
2 obstacles in the pathway to the exit open-
3 ing from the nearest aisle on the ability of
4 passengers to safely and efficiently evac-
5 uate a transport category airplane.

6 (ix) With respect to aircraft with par-
7 allel longitudinal aisles, the impact of seat
8 pods or other seating configurations that
9 block access between such aisles within a
10 cabin on the ability of passengers to safely
11 and efficiently evacuate a transport cat-
12 egory airplane.

13 (x) The impact of passenger load (the
14 number of passengers relative to the num-
15 ber of seats on board the aircraft) on the
16 ability of passengers to safely and effi-
17 ciently evacuate a transport category air-
18 plane.

19 (xi) The impact of service animals on
20 the ability of passengers (including such
21 service animals and their handlers) to safe-
22 ly and efficiently evacuate a transport cat-
23 egory airplane.

24 (xii) Whether an applicant for a type
25 certificate (as defined in section

1 44704(e)(7) of title 49, United States
2 Code) should be required to demonstrate
3 compliance with FAA emergency evacu-
4 ation regulations (as described in section
5 25.803 and Appendix J of part 25 of title
6 14, Code of Federal Regulations) through
7 live testing when the Administrator deter-
8 mines that the new aircraft design is sig-
9 nificant.

10 (xiii) Any other factor determined ap-
11 propriate by the Administrator.

12 (C) PASSENGERS WITH DISABILITIES DE-
13 FINED.—For purposes of this paragraph, the
14 term “passengers with disabilities” means any
15 qualified individual with a disability, as defined
16 in section 382.3 of title 14, Code of Federal
17 Regulations.

18 (b) AVIATION RULEMAKING COMMITTEE FOR EVACU-
19 ATION STANDARDS.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the completion of the study under subsection
22 (a), the Administrator shall establish an Aviation
23 Rulemaking Committee (in this section referred to
24 as the “Committee”) to review the findings of the
25 study and develop and submit to the Administrator

1 recommendations regarding improvements to the
2 evacuation standards described in parts 25 and 121
3 of title 14, Code of Federal Regulations.

4 (2) COMPOSITION.—The Committee shall con-
5 sist of members appointed by the Administrator, in-
6 cluding the following:

7 (A) Representatives of industry.

8 (B) Representatives of aviation labor orga-
9 nizations.

10 (C) Aviation safety experts with specific
11 knowledge of the evacuation standards and re-
12 quirements under such parts 25 and 121.

13 (D) Representatives of the disability com-
14 munity with specific knowledge of accessibility
15 standards regarding evacuations in emergency
16 circumstances.

17 (E) Representatives of the senior citizen
18 community.

19 (F) Representatives of pediatricians.

20 (3) CONSIDERATIONS.—In reviewing the find-
21 ings of the study under subsection (a) and devel-
22 oping recommendations regarding the improvement
23 of the evacuation standards, the Committee shall
24 consider the following:

1 (A) The recommendations made by any
2 prior Aviation Rulemaking Committee regard-
3 ing the evacuation standards described in such
4 parts 25 and 121.

5 (B) Scientific data derived from the study
6 under subsection (a).

7 (C) Any data gathered from aviation safety
8 reporting programs.

9 (D) The cost-benefit analysis and risk
10 analysis of any recommended standards.

11 (E) Any other item determined appropriate
12 by the Committee.

13 (c) REPORT TO CONGRESS.—Not later than 180 days
14 after the date on which the Committee submits rec-
15 ommendations under subsection (b), the Administrator
16 shall submit to the appropriate committees of Congress
17 a report on—

18 (1) the findings of the study conducted under
19 subsection (a);

20 (2) the recommendations of the Committee
21 under subsection (b); and

22 (3) the Administrator's plan, if any, to imple-
23 ment such recommendations.

24 (d) RULEMAKING.—Not later than 90 days after sub-
25 mitting the report to Congress under subsection (c), the

1 Administrator shall issue a notice of proposed rulemaking
2 to implement the recommendations of the Committee that
3 the Administrator deems appropriate.

4 **SEC. 733. IMPROVED TRAINING STANDARDS FOR ASSIST-**
5 **ING PASSENGERS WHO USE WHEELCHAIRS.**

6 (a) **RULEMAKING.**—The Secretary shall conduct a
7 rulemaking to develop requirements for minimum training
8 standards for airline personnel or contractors who assist
9 wheelchair users who must board or deplane using an aisle
10 chair or other boarding device.

11 (b) **REQUIREMENTS.**—The training standards devel-
12 oped under subsection (a) shall require, at a minimum,
13 that airline personnel or contractors—

14 (1) complete refresher training every 6 months
15 and be recertified yearly on the job by a superior in
16 order to remain qualified for providing aisle chair
17 assistance; and

18 (2) be able to successfully demonstrate the each
19 of following skills in hands-on training sessions be-
20 fore being allowed to board or deplane a passenger
21 using an aisle chair or other boarding device:

22 (A) How to safely use the aisle chair, or
23 other boarding device, including the use of all
24 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 (c) 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 administering and auditing
16 training;

17 (2) whether to require air carriers and foreign
18 air carriers to use a lift device, instead of an aisle
19 chair, to board and deplane passengers with mobility
20 disabilities;

21 (3) whether air carriers and foreign air carriers
22 should be required to use their own personnel in-
23 stead of contractors for boarding passengers with
24 limited or no mobility; and

1 order to remain qualified for handling and stowing
2 wheelchairs and scooters; and

3 (2) be able to successfully demonstrate the each
4 of following skills in hands-on training sessions be-
5 fore being allowed to handle or stow a wheelchair or
6 scooter:

7 (A) How to properly handle and configure,
8 at a minimum, the most commonly used power
9 and manual wheelchairs and scooters for stow-
10 age on each aircraft type operated by the air
11 carrier or foreign air carrier.

12 (B) How to properly review any wheelchair
13 or scooter information provided by the pas-
14 senger or the assistive device manufacturer.

15 (C) How to properly load, secure, and un-
16 load wheelchairs and scooters, including how to
17 use any specialized equipment for loading or
18 unloading, on each aircraft type operated by the
19 air carrier or foreign air carrier.

20 (c) CONSIDERATIONS.—In conducting the rulemaking
21 under subsection (a), the Secretary shall consider, at a
22 minimum—

23 (1) whether to require air carriers and foreign
24 air carriers to partner with wheelchair manufactur-
25 ers, national disability and disabled veterans organi-

1 zations representing individuals who use wheelchairs
2 and scooters, and aircraft manufacturers, in admin-
3 istering and auditing training; and

4 (2) whether air carriers and foreign air carriers
5 should require personnel or contractors to use spe-
6 cialized equipment in loading and unloading wheel-
7 chairs and scooters.

8 (d) FINAL RULE.—Not later than 12 months after
9 the date of enactment of this section, the Secretary shall
10 issue a final rule pursuant to the rulemaking conducted
11 under this section.

12 (e) PENALTIES.—The Secretary may assess a civil
13 penalty in accordance with section 46301 of title 49,
14 United States Code, to any air carrier or foreign air car-
15 rier who fails to meet the requirements established under
16 the final rule under subsection (d).

17 **SEC. 735. MOBILITY AIDS ON BOARD IMPROVE LIVES AND**
18 **EMPOWER ALL ACT.**

19 (a) PUBLICATION OF INFORMATION RELATED TO
20 POWERED WHEELCHAIRS.—

21 (1) ADVISORY CIRCULAR.—Not later than 1
22 year after the date of enactment of this section, the
23 Secretary shall issue an advisory circular that pro-
24 vides guidance to air carriers and foreign air car-
25 riers (as defined in section 40102 of title 49, United

1 States Code) on publishing information related to
2 powered wheelchairs on the website of such carrier,
3 including—

4 (A) information describing the dimensions
5 of the cargo holds of all aircraft types in the air
6 carrier's fleet, including the dimensions of the
7 cargo hold entry; and

8 (B) in the case of a qualified individual
9 with a disability (as defined in section 382.3 of
10 title 14, Code of Federal Regulations) traveling
11 with a wheelchair (including a power wheel-
12 chair, manual wheelchair, or scooter) who has
13 purchased a ticket for a flight from the air car-
14 rier but who cannot fly on the existing aircraft
15 because the wheelchair of such qualified indi-
16 vidual cannot fit in the cargo hold, information
17 regarding the process for such qualified indi-
18 vidual to get a refund of any previously paid
19 fares, fees, and taxes applicable to such flight.

20 (2) REQUIREMENT.—Not later than 18 months
21 after the date of enactment of this section, each air
22 carrier and foreign air carrier shall be required to
23 publish, on a prominent and easily accessible place
24 on the website of the carrier, the information de-

1 scribed in the advisory circular issued under para-
2 graph (1).

3 (b) EVALUATION OF DATA REGARDING MISHANDLED
4 WHEELCHAIRS.—Not later than 6 months after the date
5 of enactment of this section, and annually thereafter, the
6 Secretary shall—

7 (1) evaluate data (which shall be delineated by
8 type of wheelchair being mishandled, such as power
9 wheelchairs, manual wheelchairs, and scooters, and
10 by type of mishandling, such as damage (including
11 the type of damage, such as broken drive wheels or
12 casters, bent or broken frames, damage to electrical
13 connectors or wires, control input devices, joysticks,
14 upholstery, or other components, and any other type
15 of damage deemed appropriate by the Secretary),
16 delay, or loss) regarding the frequency of mis-
17 handling of wheelchairs (as defined in section 37.3
18 of title 49, Code of Federal Regulations) occurring
19 on aircraft;

20 (2) determine whether there are issues with re-
21 spect to such frequency and type of mishandling;
22 and

23 (3) review and report any claims for which an
24 air carrier has conclusive evidence of fraud.

1 (c) REPORT ON MISHANDLED WHEELCHAIRS.—Not
2 later than 6 months after the date of enactment of this
3 section, the Secretary shall submit to the appropriate com-
4 mittees of Congress a report (which shall be made publicly
5 available on the website of the Department of Transpor-
6 tation) regarding the results of each such evaluation and
7 determination under subsection (b), including how the
8 Secretary plans to address such results through consulta-
9 tion with air carriers, wheelchair manufacturers, national
10 disability and disabled veterans organizations, and other
11 relevant stakeholders.

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 section, the Secretary shall
16 submit to the appropriate committees of Congress a
17 publicly available strategic roadmap that describes
18 how the Department of Transportation and the
19 United States Access Board, respectively, shall, in
20 accordance with the recommendations from the Na-
21 tional Academies of Science, Engineering, and Math-
22 ematics Transportation Research Board Special Re-
23 port 341—

24 (A) establish a program of research, in col-
25 laboration with the Rehabilitation Engineering

1 and Assistive Technology Society of North
2 America (RESNA), the assistive technology in-
3 dustry, air carriers, original equipment manu-
4 facturers, national disability and disabled vet-
5 erans organizations, and any other relevant
6 stakeholders, to test and evaluate an appro-
7 priate selection of WC19-compliant wheelchairs
8 and accessories in accordance with applicable
9 FAA crashworthiness and safety performance
10 criteria, including the issues and considerations
11 set forth in Special Report 341; and

12 (B) sponsor studies that assess issues and
13 considerations, including those set forth in Spe-
14 cial Report 341, such as—

15 (i) the likely demand for air travel by
16 individuals who are nonambulatory if such
17 individuals could remain seated in their
18 personal wheelchairs in flight; and

19 (ii) the feasibility of implementing
20 seating arrangements that would accommo-
21 date passengers in wheelchairs in the main
22 cabin in flight.

23 (2) STUDY.—If determined to be technically
24 feasible by the Secretary, not later than 2 years
25 after making such determination, the Secretary shall

1 commence a study to assess the economic and finan-
2 cial feasibility of air carriers and foreign air carriers
3 implementing seating arrangements that accommo-
4 date passengers with wheelchairs (including power
5 wheelchairs, manual wheelchairs, and scooters) in
6 the main cabin during flight. Such study shall in-
7 clude an assessment of—

8 (A) the cost of such seating arrangements,
9 equipment, and installation;

10 (B) the demand for such seating arrange-
11 ments;

12 (C) the impact of such seating arrange-
13 ments on passenger seating and safety on air-
14 craft;

15 (D) the impact of such seating arrange-
16 ments on the cost of operations and airfare;
17 and

18 (E) any other information determined ap-
19 propriate by the Secretary.

20 (3) REPORT.—Not later than 1 year after the
21 date on which the study under paragraph (2) is
22 completed, the Secretary shall submit to the appro-
23 priate committees of Congress a publicly available
24 report describing the results of the study conducted

1 under paragraph (2), together with any rec-
2 ommendations the Secretary determines appropriate.

3 **SEC. 736. PRIORITIZING ACCOUNTABILITY AND ACCESSI-**
4 **BILITY FOR AVIATION CONSUMERS ACT OF**
5 **2023.**

6 (a) ANNUAL REPORT.—Not later than 1 year after
7 the date of enactment of this section, and annually there-
8 after, the Secretary shall submit a report on aviation con-
9 sumer complaints related to passengers with a disability
10 filed with the Department of Transportation to the appro-
11 priate committees of Congress, and shall make each an-
12 nual report publicly available.

13 (b) REPORT.—Each annual report submitted under
14 subsection (a) shall include, but not be limited to, the fol-
15 lowing:

16 (1) The number of aviation consumer com-
17 plaints reported to the Secretary related to pas-
18 sengers with a disability filed with the Department
19 of Transportation during the 5 most recent calendar
20 years.

21 (2) The nature of such complaints, such as re-
22 ported issues with—

23 (A) an air carrier, including an air car-
24 rier's staff training or lack thereof;

1 (B) mishandling of passengers with a dis-
2 ability or their accessibility equipment;

3 (C) the condition or lack of accessibility
4 equipment or materials;

5 (D) the accessibility of in-flight services,
6 including accessing and utilizing on-board lava-
7 tories, for passengers with a disability;

8 (E) difficulties experienced by passengers
9 with a disability in communicating with an air
10 carrier or staff of an air carrier;

11 (F) difficulties experienced by passengers
12 with a disability in being moved, handled, or
13 having their schedule changed without consent;

14 (G) issues experienced by passengers with
15 a disability traveling with a service animal; and

16 (H) such other issues as the Secretary
17 deems appropriate.

18 (3) An overview of the review process for such
19 complaints received during such period.

20 (4) The median length of time for how quickly
21 review such complaints were initiated.

22 (5) The median length of time for how quickly
23 such complaints were resolved or otherwise ad-
24 dressed.

1 (6) Of the complaints that were found to violate
2 section 41705 of title 49, United States Code, (com-
3 monly known as the “Air Carrier Access Act of
4 1986”)—

5 (A) the number of such complaints for
6 which a formal enforcement order was issued;
7 and

8 (B) the number of such complaints for
9 which a formal enforcement order was not
10 issued.

11 (7) How many aviation consumer complaints re-
12 lated to passengers with a disability were referred to
13 the Department of Justice for an enforcement action
14 under—

15 (A) section 504 of the Rehabilitation Act
16 of 1973 (29 U.S.C. 794);

17 (B) the Americans with Disabilities Act of
18 1990 (42 U.S.C. 12101 et seq.); or

19 (C) any other provision of law.

20 (8) How many aviation consumer complaints re-
21 lated to passengers with a disability filed with the
22 Department of Transportation that involved airport
23 staff, or other matters under the jurisdiction of the
24 Federal Aviation Administration, were referred to
25 the Federal Aviation Administration.

1 (c) DEFINITIONS.—

2 (1) IN GENERAL.—The definitions set forth in
3 section 40102 of title 49, United States Code, and
4 section 382.3 of title 14, Code of Federal Regula-
5 tions, apply to any term defined in such sections
6 that is used in this section.

7 (2) PASSENGERS WITH A DISABILITY DE-
8 FINED.—In this section, the term “passengers with
9 a disability” has the meaning given the term “quali-
10 fied individual with a disability” in section 382.3 of
11 title 14, Code of Federal Regulations.

12 **SEC. 737. TRANSPORTATION OF ORGANS.**

13 (a) HANDLING OF ORGANS ON AIRCRAFT.—Not later
14 than 180 days after the date of enactment of this section,
15 the Administrator, in coordination with relevant Federal
16 agencies and stakeholders, shall issue a rulemaking to—

17 (1) establish a safe, standardized process for a
18 commercial airline’s acceptance, handling, manage-
19 ment, and transportation of an organ in the cabin
20 of an aircraft;

21 (2) require each commercial airline to establish
22 a protocol to ensure the safe and timely transport of
23 an organ in the cabin of the aircraft, including
24 through any connecting flight; and

1 (3) identify metrics regarding the handling of
2 organs by commercial airlines in order to increase
3 transparency and aid the development of best prac-
4 tices and improvement initiatives.

5 (b) DEFINITION OF ORGAN.—For purposes of this
6 section, the term “organ”—

7 (1) has the meaning given such term in section
8 121.2 of title 42, Code of Federal Regulations; and

9 (2) includes organ-related tissue.

10 **SEC. 738. ACCESS AND DIGNITY FOR ALL PEOPLE WHO**
11 **TRAVEL ACT.**

12 (a) SHORT TITLE.—This section may be cited as the
13 “Access and Dignity for All People Who Travel Act of
14 2023”.

15 (b) DEFINITIONS.—In this section:

16 (1) AIR CARRIER.—The term “air carrier” has
17 the meaning given that term in section 40102 of
18 title 49, United States Code.

19 (2) FOREIGN AIR CARRIER.—The term “foreign
20 air carrier” has the meaning given that term in sec-
21 tion 40102 of title 49, United States Code.

22 (3) QUALIFIED INDIVIDUAL WITH A DIS-
23 ABILITY.—The term “qualified individual with a dis-
24 ability” has the meaning given that term in section
25 382.3 of title 14, Code of Federal Regulations.

1 (4) SERVICE ANIMAL.—The term “service ani-
2 mal” has the meaning given that term in section
3 382.3 of title 14, Code of Federal Regulations.

4 (c) SEATING ACCOMMODATIONS FOR QUALIFIED IN-
5 DIVIDUALS WITH DISABILITIES.—

6 (1) IN GENERAL.—

7 (A) ADVANCED NOTICE OF PROPOSED
8 RULEMAKING.—Not later than 180 days after
9 the date of enactment of this section, the Sec-
10 retary shall issue an advanced notice of pro-
11 posed rulemaking regarding seating accom-
12 modations for any qualified individual with a
13 disability.

14 (B) NOTICE OF PROPOSED RULE-
15 MAKING.—Not later than 1 year after the date
16 on which the advanced notice of proposed rule-
17 making under subparagraph (A) is completed,
18 the Secretary shall issue a notice of proposed
19 rulemaking regarding seating accommodations
20 for any qualified individual with a disability.

21 (C) FINAL RULE.—Not later than 1 year
22 after the date on which the notice of proposed
23 rulemaking under subparagraph (B) is com-
24 pleted, the Secretary shall issue a final rule re-

1 garding seating accommodations for any quali-
2 fied individual with a disability.

3 (2) REQUIREMENTS.—In carrying out any rule-
4 making under paragraph (1), the Secretary shall
5 consider the following:

6 (A) The scope and anticipated number of
7 qualified individuals with a disability who—

8 (i) may need to be seated with a com-
9 panion to receive assistance during a
10 flight; or

11 (ii) should be afforded bulkhead seats
12 or other seating considerations.

13 (B) The types of disabilities that may need
14 seating accommodations.

15 (C) Whether such qualified individuals
16 with a disability are unable to obtain, or have
17 difficulty obtaining, such a seat.

18 (D) The scope and anticipated number of
19 individuals assisting a qualified individual with
20 a disability who should be afforded an adjoining
21 seat pursuant to section 382.81 of title 14,
22 Code of Federal Regulations.

23 (E) Any notification given to qualified indi-
24 viduals with a disability regarding available
25 seating accommodations.

1 (F) Any method that is adequate to iden-
2 tify fraudulent claims for seating accommoda-
3 tions.

4 (G) Any other information determined ap-
5 propriate by the Secretary.

6 (d) KNOWN SERVICE ANIMAL USER TRAVEL PILOT
7 PROGRAM.—

8 (1) PILOT PROGRAM.—

9 (A) ESTABLISHMENT.—

10 (i) IN GENERAL.—The Secretary shall
11 establish a pilot program to allow approved
12 program participants as known service ani-
13 mal users for the purpose of exemption
14 from the documentation requirements
15 under part 382 of title 14, Code of Federal
16 Regulations, with respect to air travel with
17 a service animal.

18 (ii) REQUIREMENTS.—The pilot pro-
19 gram established under clause (i) shall—

20 (I) be optional;

21 (II) provide to applicants assist-
22 ance, including over-the-phone assist-
23 ance, throughout the application proc-
24 ess for the program;

1 (III) with respect to any web-
2 based components of the pilot pro-
3 gram, meet or exceed the standards
4 described in section 508 of the Reha-
5 bilitation Act of 1973 (29 U.S.C.
6 794d) and the regulations imple-
7 menting that Act as set forth in part
8 1194 of title 36, Code of Federal Reg-
9 ulations; and

10 (IV) exempt participants of the
11 pilot program from any documenta-
12 tion requirements under part 382 of
13 title 14, Code of Federal Regulations.

14 (B) CONSULTATION.—In establishing the
15 pilot program under subparagraph (A), the Sec-
16 retary shall consult with—

17 (i) disability advocacy entities, includ-
18 ing nonprofit organizations focused on en-
19 suring that individuals with disabilities are
20 able to live and participate in their commu-
21 nities;

22 (ii) air carriers and foreign air car-
23 riers;

24 (iii) accredited service animal training
25 programs and authorized registrars, such

1 as the International Guide Dog Federa-
2 tion, Assistance Dogs International, and
3 other similar organizations and foreign and
4 domestic governmental registrars of service
5 animals;

6 (iv) other relevant departments or
7 agencies of the Federal Government; and

8 (v) other entities determined to be ap-
9 propriate by the Secretary.

10 (C) ELIGIBILITY.—To be eligible to par-
11 ticipate in the pilot program under this para-
12 graph, an individual shall—

13 (i) be a qualified individual with a dis-
14 ability;

15 (ii) require the use of a service animal
16 because of a disability; and

17 (iii) submit an application to the Sec-
18 retary at such time, in such manner, and
19 containing such information as the Sec-
20 retary may require.

21 (D) CLARIFICATION.—The Secretary may
22 award a grant or enter into a contract or coop-
23 erative agreement in order to carry out this
24 paragraph.

1 (E) NOMINAL FEE.—The Secretary may
2 require an applicant to pay a nominal fee (not
3 to exceed \$25) to participate in the pilot pro-
4 gram.

5 (F) REPORTS TO CONGRESS.—

6 (i) PLANNING REPORT.—Not later
7 than 1 year after the date of enactment of
8 this section, the Secretary shall submit to
9 the appropriate committees of Congress a
10 publicly available report describing the im-
11 plementation plan for the pilot program
12 under this paragraph.

13 (ii) ANNUAL REPORT.—Not later than
14 1 year after the establishment of the pilot
15 program under this paragraph, and annu-
16 ally thereafter until the date described in
17 subparagraph (G), the Secretary shall sub-
18 mit to the appropriate committees of Con-
19 gress a publicly available report on the
20 progress of the pilot program.

21 (iii) FINAL REPORT.—Not later than
22 5 years after the date of enactment of this
23 section, the Secretary shall submit to the
24 appropriate committees of Congress a pub-
25 licly available final report that includes

1 recommendations for the establishment
2 and implementation of a permanent known
3 service animal user travel program for the
4 Federal Government.

5 (G) SUNSET.—The pilot program shall ter-
6 minate on the date that is 5 years after the
7 date of enactment of this section.

8 (2) ACCREDITED SERVICE ANIMAL TRAINING
9 PROGRAMS AND AUTHORIZED REGISTRARS.—Not
10 later than 6 months after the date of enactment of
11 this section, the Secretary shall publish on the
12 website of the Department of Transportation and
13 maintain a list of—

14 (A) accredited programs that train service
15 animals; and

16 (B) authorized registrars that evaluate
17 service animals.

18 (3) REPORT TO CONGRESS ON SERVICE ANIMAL
19 REQUESTS.—Not later than 1 year after the date of
20 enactment of this section, and annually thereafter,
21 the Secretary shall submit to the appropriate com-
22 mittees of Congress a report on requests for air
23 travel with service animals, including—

1 (A) during the reporting period, how many
2 requests to board an aircraft with a service ani-
3 mal were made; and

4 (B) the number and percentage of such re-
5 quests, categorized by type of request, that
6 were reported by air carriers or foreign air car-
7 riers as—

8 (i) granted;

9 (ii) denied; or

10 (iii) fraudulent.

11 (4) TRAINING.—

12 (A) IN GENERAL.—Not later than 180
13 days after the date of enactment of this section,
14 the Secretary shall, in consultation with the Air
15 Carrier Access Act Advisory Committee, issue
16 guidance regarding improvements to training
17 for airline personnel (including contractors) in
18 recognizing when a qualified individual with a
19 disability is traveling with a service animal.

20 (B) REQUIREMENTS.—The guidance
21 issued under paragraph (1) shall—

22 (i) take into account respectful en-
23 gagement with and assistance for individ-
24 uals with a wide range of visible and non-
25 visible disabilities;

1 (ii) provide information on—

2 (I) service animal behavior and
3 whether the service animal is appro-
4 priately harnessed, leashed, or other-
5 wise tethered; and

6 (II) the various types of service
7 animals, such as guide dogs, hearing
8 or signal dogs, psychiatric service
9 dogs, sensory or social signal dogs,
10 and seizure response dogs; and

11 (iii) outline the rights and responsibil-
12 ities of the handler of the service animal.

13 **SEC. 739. EQUAL ACCESSIBILITY TO PASSENGER PORTALS**
14 **ACT.**

15 (a) APPLICATIONS AND INFORMATION COMMUNICA-
16 TION TECHNOLOGIES.—

17 (1) RULEMAKING.—Not later than 6 months
18 after the date of enactment of this section, the Sec-
19 retary shall issue a notice of proposed rulemaking to
20 ensure that customer-focused websites, applications,
21 and information communication technologies (includ-
22 ing those used to notify any individual with a dis-
23 ability of changes to flight information (such as
24 delays, gate changes, or boarding announcements),
25 passenger safety information, or in-flight services

1 and updates) of an air carrier, foreign air carrier, or
2 airport are accessible.

3 (2) FINAL RULE.—Not later than 1 year after
4 the date of enactment of this section, the Secretary
5 shall promulgate a final rule for the purposes de-
6 scribed in paragraph (1).

7 (3) CONSIDERATIONS.—In any rulemaking
8 under this subsection, the Secretary—

9 (A) shall consider—

10 (i) the standards described in section
11 508 of the Rehabilitation Act of 1973 (29
12 U.S.C. 794d); and

13 (ii) the regulations implementing that
14 Act as set forth in part 1194 of title 36,
15 Code of Federal Regulations; and

16 (B) may consider—

17 (i) additional standards, including
18 those provided in the Web Content Accessi-
19 bility Guidelines 2.1 Level AA of the Web
20 Accessibility Initiative of the World Wide
21 Web Consortium (or subsequent versions);
22 and

23 (ii) the technical capabilities of the in-
24 formation communication technology.

1 (4) CONSULTATION.—For purposes of this sec-
2 tion, the Secretary may consult with the Architec-
3 tural and Transportation Barriers Compliance
4 Board and any other relevant department or agency
5 to determine appropriate accessibility standards.

6 (5) REVIEW.—Not later than 5 years after pro-
7 mulgating the final rule under paragraph (2), and
8 every 5 years thereafter, the Secretary shall review
9 the rules issued under this subsection and update
10 such rules as necessary.

11 (b) AUDIT.—

12 (1) INITIAL AUDIT.—

13 (A) REQUIREMENT.—Not later than 1
14 year after the date on which the Secretary pro-
15 mulgates the final rule under subsection (a)(2),
16 and subsequently thereafter as described in
17 paragraph (3), the Secretary shall commence an
18 audit of each customer-focused website, applica-
19 tion, or information communication technology
20 of an air carrier, foreign air carrier, or airport
21 for the purpose of informing improvements that
22 ensure any individual with a disability has equal
23 access to travel, in accordance with such final
24 rule. Such audit shall be limited to a review of
25 the following:

1 (i) The accessibility of any customer-
2 focused website or application of an air
3 carrier, foreign air carrier, or airport.

4 (ii) The accessibility of the informa-
5 tion communication technology an air car-
6 rier, foreign air carrier, or airport uses
7 to—

8 (I) notify any individual with a
9 disability of changes to flight informa-
10 tion (such as delays, gate changes, or
11 boarding announcements); or

12 (II) provide services to such indi-
13 vidual, such as checking in, printing a
14 boarding pass, or printing a luggage
15 tag.

16 (iii) Other relevant information, as de-
17 termined by the Secretary in consultation
18 with stakeholders from the disability com-
19 munity, air carriers, foreign air carriers,
20 airports, and other relevant stakeholders.

21 (B) NOTICE.—Not later than 9 months be-
22 fore commencing any audit under subparagraph
23 (A), the Secretary shall notify any entity being
24 audited and publish in a prominent place on the
25 website of the Department of Transportation

1 and in an accessible manner, information re-
2 garding such audit, including—

3 (i) a notice of the audit;

4 (ii) the standards that the customer-
5 focused website, application, or information
6 communication technology of an air car-
7 rier, foreign air carrier, or airport must
8 meet; and

9 (iii) the potential civil penalties that
10 may be assessed for noncompliance with
11 such standards.

12 (2) CLARIFICATION.—The Secretary may—

13 (A) award a grant or enter into a contract
14 or cooperative agreement in order to carry out
15 the audits required under paragraph (1); and

16 (B) require any air carrier, foreign air car-
17 rier, or airport audited under this section to
18 provide to the Secretary such information as
19 the Secretary requires to carry out any such
20 audit.

21 (3) SUBSEQUENT AUDITS.—

22 (A) LARGE AIR CARRIERS, LARGE HUB
23 AIRPORTS, AND MEDIUM HUB AIRPORTS.—For
24 purposes of paragraph (1), after the initial
25 audit described in such paragraph, the Sec-

1 retary shall conduct subsequent audits every 3
2 years thereafter with respect to large air car-
3 riers, large hub airports, and medium hub air-
4 ports.

5 (B) SMALL AIR CARRIERS.—For purposes
6 of paragraph (1), after the initial audit de-
7 scribed in such paragraph, the Secretary shall
8 conduct subsequent audits every 5 years there-
9 after with respect to small air carriers.

10 (c) REPORT.—Not later than 1 year after com-
11 mencing any audit under subsection (b), the Secretary
12 shall submit to the appropriate committees of Congress
13 a publicly-available report containing the following:

14 (1) The number of air carriers, foreign air car-
15 riers, and airports audited during the reporting pe-
16 riod.

17 (2) The number of violations per type of oper-
18 ator (air carrier, foreign air carrier, and airport)
19 during the reporting period.

20 (3) An analysis of the number and type of vio-
21 lations (such as lack of captions, audio descriptions,
22 image descriptions), with such types being at the
23 discretion of the Secretary.

1 (4) Recommendations for such legislation and
2 administrative action as the Secretary determines
3 appropriate.

4 (d) PENALTIES.—Upon completing an audit con-
5 ducted under subsection (b), the Secretary may assess a
6 civil penalty in accordance with section 46301 of title 49,
7 United States Code, to any air carrier, foreign air carrier,
8 or airport that utilizes a customer-focused website, appli-
9 cation, or information communication technology that is
10 not accessible, as determined by the Secretary.

11 (e) DEFINITIONS.—In this section:

12 (1) AIR CARRIER.—The term “air carrier” has
13 the meaning given that term in section 40102 of
14 title 49, United States Code.

15 (2) AIRPORT.—The term “airport” has the
16 meaning given that term in section 40102 of title
17 49, United States Code.

18 (3) APPLICATION.—The term “application”
19 means software that is designed to run on a device,
20 including a smartphone, tablet, self-service kiosk,
21 wearable technology item, or laptop or desktop com-
22 puter, or another device, including a device devel-
23 oped after the date of enactment of this section, and
24 that is designed to perform, or to help the user per-
25 form, a specific task.

1 (4) FOREIGN AIR CARRIER.—The term “foreign
2 air carrier” has the meaning given that term in sec-
3 tion 40102 of title 49, United States Code.

4 (5) INDIVIDUAL WITH A DISABILITY.—The term
5 “individual with a disability” has the meaning given
6 that term in section 382.3 of title 14, Code of Fed-
7 eral Regulations.

8 (6) INFORMATION COMMUNICATION TECH-
9 NOLOGY.—The term “information communication
10 technology”—

11 (A) means any equipment, system, tech-
12 nology, or process for which the principal func-
13 tion is the creation, manipulation, storage, dis-
14 play, receipt, or transmission of relevant elec-
15 tronic data and information, as well as any as-
16 sociated content; and

17 (B) includes a computer and peripheral
18 equipment, an information kiosk or transaction
19 machine, telecommunications equipment, cus-
20 tomer premises equipment, a multifunction of-
21 fice machine, software, a video, or an electronic
22 document.

23 (7) LARGE AIR CARRIER.—The term “large air
24 carrier” means an air carrier or foreign air carrier
25 operating under part 121 of title 14, Code of Fed-

1 eral Regulations, that operates an aircraft with 125
2 passenger seats or more.

3 (8) LARGE HUB AIRPORT.—The term “large
4 hub airport” has the meaning given that term in
5 section 40102 of title 49, United States Code.

6 (9) MEDIUM HUB AIRPORT.—The term “me-
7 dium hub airport” has the meaning given that term
8 in section 40102 of title 49, United States Code.

9 (10) SMALL AIR CARRIER.—The term “small
10 air carrier” means an air carrier or foreign air car-
11 rier operating under part 121 of title 14, Code of
12 Federal Regulations, that operates an aircraft with
13 less than 125 passenger seats.

14 **SEC. 740. STORE ON-BOARD WHEELCHAIRS IN CABIN ACT.**

15 (a) REQUIREMENTS.—

16 (1) IN GENERAL.—In the case an aircraft that
17 is required to be equipped with an on-board wheel-
18 chair in accordance with section 382.65 of title 14,
19 Code of Federal Regulations, an air carrier and a
20 foreign air carrier shall provide in a prominent place
21 on a publicly available internet website of the car-
22 rier, and in any place where a passenger can make
23 a reservation, information regarding the rights and
24 responsibilities of both passengers on such aircraft
25 and the air carrier or foreign air carrier, including—

1 (A) that an air carrier or foreign air car-
2 rier is required to equip aircraft that have more
3 than 60 passenger seats and that have an ac-
4 cessible lavatory (whether or not having such a
5 lavatory is required by section 382.63 of such
6 title 14) with an on-board wheelchair unless an
7 exception described in such section 382.65 ap-
8 plies;

9 (B) that a qualified individual with a dis-
10 ability may request an on-board wheelchair on
11 aircraft with more than 60 passenger seats even
12 if the lavatory is not accessible and that the
13 basis of such request must be that the indi-
14 vidual can use an inaccessible lavatory but can-
15 not reach it from a seat without using an on-
16 board wheelchair;

17 (C) that the air carrier or foreign air car-
18 rier may require the qualified individual with a
19 disability to provide the advance notice specified
20 in section 382.27 of such title 14 in order for
21 the individual to be provided with the on-board
22 wheelchair; and

23 (D) if the air carrier or foreign air carrier
24 requires the advance notice described in sub-
25 paragraph (C), information on how a qualified

1 individual with a disability can make such a re-
2 quest.

3 (2) ANNUAL TRAINING.—An air carrier and a
4 foreign air carriers shall require that all personnel
5 who regularly interact with the traveling public, in-
6 cluding contractors, complete annual training re-
7 garding assisting qualified individual with a dis-
8 ability, including regarding the availability of acces-
9 sible lavatories and on-board wheelchairs and such
10 individual’s right to request an on-board wheelchair.

11 (3) PUBLIC AWARENESS CAMPAIGN.—The Sec-
12 retary shall conduct a public awareness campaign on
13 the rights of qualified individuals with a disability,
14 including with respect to accessible lavatories and
15 such individual’s right to request an on-board wheel-
16 chair in accordance section 382.65 of title 14, Code
17 of Federal Regulations .

18 (4) QUALIFIED INDIVIDUAL WITH A DISABILITY
19 DEFINED.—In this subsection, the term “qualified
20 individual with a disability” has the meaning given
21 such term in section 382.3 of title 14, Code of Fed-
22 eral Regulations.

23 (5) PENALTIES.—The Secretary may assess a
24 civil penalty in accordance with section 46301 of
25 title 49, United States Code, to any air carrier or

1 foreign air carrier who fails to meet the require-
2 ments under paragraph (1) or (2).

3 (b) INCREASED CIVIL PENALTIES.—

4 (1) IN GENERAL.—Section 46301(a)(7) of title
5 49, United States Code, is amended—

6 (A) in the paragraph heading, by striking
7 “TO HARM”; and

8 (B) in subparagraph (A)—

9 (i) in the heading, by striking “BOD-
10 ILY HARM OR DAMAGE TO WHEELCHAIR OR
11 OTHER MOBILITY AID” and inserting
12 “DAMAGE TO WHEELCHAIR OR OTHER MO-
13 BILITY AID, BODILY HARM, OR FAILURE TO
14 EQUIP AIRCRAFT WITH A WHEELCHAIR”;
15 and

16 (ii) by striking “or injury to a pas-
17 senger with a disability” and inserting “,
18 injury to a passenger with a disability, or
19 a failure to equip an aircraft with an on-
20 board wheelchair pursuant to section
21 382.65 of title 14, Code of Federal Regula-
22 tions (or a successor regulation)”.

23 (2) EFFECTIVE DATE.—The amendments made
24 by paragraph (1) shall apply to flights occurring on

1 or after the effective date of the revision described
2 in subsection (a).

3 **Subtitle C—Air Service**
4 **Development**

5 **SEC. 741. ESSENTIAL AIR SERVICE.**

6 (a) DEFINITIONS.—Section 41731 of title 49, United
7 States Code, is amended—

8 (1) by striking subsection (a) and inserting the
9 following:

10 “(a) ELIGIBLE PLACE DEFINED.—In this sub-
11 chapter, the term ‘eligible place’ means a place in the
12 United States that—

13 “(1) is at least 75 miles from the nearest me-
14 dium or large hub airport, if within the 48 contig-
15 uous states, which shall not be waived;

16 “(2) had an average of 10 enplanements per
17 service day or more, as determined by the Secretary,
18 during the most recent fiscal year;

19 “(3) during the most recent fiscal year had an
20 average subsidy per passenger, as determined by the
21 Secretary, of—

22 “(A) less than \$500 for locations that are
23 less than 175 driving miles from the nearest
24 large or medium hub airport; and

1 “(B) less than \$1,000 for all locations, re-
2 gardless of driving distance to a hub; and

3 “(4) is a community that, at any time during
4 the period between September 30, 2010, and Sep-
5 tember 30, 2011, inclusive—

6 “(A) received essential air service for
7 which compensation was provided to an air car-
8 rier under this subchapter; or

9 “(B) received notice of intent to terminate
10 essential air service and the Secretary required
11 the air carrier to continue to provide such serv-
12 ice to the community.”;

13 (2) in subsection (b), by striking “subsection
14 (a)(1) of this section” and inserting “subsection
15 (a)”;

16 (3) in subsection (c), by striking “Subpara-
17 graphs (B), (C), and (D) of subsection (a)(1)” and
18 inserting “Paragraphs (2), (3), and (4) of subsection
19 (a)”;

20 (4) in subsection (d), by striking “Subsection
21 (a)(1)(B)” and inserting “Subsection (a)(2)”;

22 (5) by striking subsection (e) and inserting the
23 following:

24 “(e) WAIVERS.—The Secretary may waive, on an an-
25 nual basis, subsection (a)(2) or subsection (a)(3)(A) with

1 respect to a location if the location demonstrates to the
2 Secretary's satisfaction that the reason the location aver-
3 ages fewer than 10 enplanements per day or has a subsidy
4 higher than \$500 per passenger is due to a temporary de-
5 cline in demand; provided, that the Secretary may not pro-
6 vide more than 2 consecutive waivers of subsection (a)(2)
7 or subsection (a)(3)(A) to any location.”; and

8 (6) in subsection (f), by striking “subsection
9 (a)(1)(B)” and inserting “subsection (a)(2)”.

10 (b) IMPROVEMENTS TO BASIC ESSENTIAL AIR SERV-
11 ICE.—

12 (1) IN GENERAL.—Section 41732 of title 49,
13 United States Code, is amended—

14 (A) in subsection (a)(1), by striking “hub
15 airport” and all that follows through “beyond
16 that airport” and inserting “medium or large
17 hub airport”; and

18 (B) in subsection (b)—

19 (i) in paragraph (2), by striking “and
20 at prices” and all that follows through the
21 period; and

22 (ii) by striking paragraphs (3)
23 through (6).

24 (c) LEVEL OF BASIC ESSENTIAL AIR SERVICE.—Sec-
25 tion 41733 of title 49, United States Code, is amended—

1 (1) in subsection (c)(1)—

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

4 “(B) the contractual, marketing arrange-
5 ments, code-share, or interline arrangements
6 the applicant has made with a larger air carrier
7 serving the hub airport;”;

8 (B) by striking subparagraph (C) and re-
9 designating subparagraphs (D) through (F) as
10 subparagraphs (C) through (E), respectively;

11 (C) in subparagraph (D), as so redesign-
12 ated, by striking “and” after the semicolon;

13 (D) in subparagraph (E), as so redesign-
14 ated, by striking the period at the end and in-
15 serting “; and”; and

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

17 “(F) service provided in aircraft with at
18 least 2 engines and using 2 pilots.”; and

19 (2) in subsection (h), by striking “by section
20 332 of the Department of Transportation and Re-
21 lated Agencies Appropriations Act, 2000 (Public
22 Law 106-69; 113 Stat. 1022)” and inserting “under
23 section 41731(a)(3)”.

1 (d) ENDING, SUSPENDING, AND REDUCING BASIC
2 ESSENTIAL AIR SERVICE.—Section 41734 of title 49,
3 United States Code, is amended—

4 (1) in subsection (a)—

5 (A) by striking “An air carrier” and in-
6 serting “Subject to subsection (d), an air car-
7 rier”; and

8 (B) by striking “90” and inserting “180”;

9 (2) by striking subsection (d) and inserting the
10 following:

11 “(d) CONTINUATION OF COMPENSATION AFTER NO-
12 TICE PERIOD.—

13 “(1) IN GENERAL.—If an air carrier receiving
14 compensation under section 41733 of this title for
15 providing basic essential air service to an eligible
16 place is required to continue to provide service to the
17 place under this section after the 180-day notice pe-
18 riod under subsection (a) of this section, the Sec-
19 retary—

20 “(A) shall provide the carrier with com-
21 pensation sufficient to pay to the carrier the
22 amount required by the then existing contract
23 for performing the basic essential air service
24 that was being provided when the 180-day no-

1 tice was given under subsection (a) of this sec-
2 tion;

3 “(B) may pay an additional amount that
4 represents a reasonable return on investment;
5 and

6 “(C) may pay an additional return that
7 recognizes the demonstrated additional lost
8 profits from opportunities foregone and the
9 likelihood that those lost profits increase as the
10 period during which the carrier or provider is
11 required to provide the service continues.

12 “(2) **AUTHORITY.**—The Secretary may impose
13 contract termination penalties or conditions on com-
14 pensation that take effect in the event an air carrier
15 provides notice that it is ending, suspending, or re-
16 ducing basic essential air service.”;

17 (3) in subsection (e), by striking “providing
18 that service after the 90-day notice period” and all
19 that follows through the period at the end of para-
20 graph (2) and inserting “providing that service after
21 the 180-day notice period required by subsection (a),
22 the Secretary may provide the air carrier with com-
23 pensation after the end of the 180-day notice period
24 to pay for the fully allocated actual cost to the air
25 carrier of performing the basic essential air service

1 that was being provided when the 180-day notice
2 was given under subsection (a) plus a reasonable re-
3 turn on investment that is at least 5 percent of oper-
4 ating costs.”; and

5 (4) in subsection (f), by inserting “air” after
6 “find another”.

7 (e) ENHANCED ESSENTIAL AIR SERVICE.—Section
8 41735 of title 49, United States Code, and the item relat-
9 ing to such section in the analysis for subchapter II of
10 chapter 417 of such title, are repealed.

11 (f) AIR TRANSPORTATION TO NONELIGIBLE
12 PLACES.—Section 41736 of title 49, United States Code,
13 and the item relating to such section in the analysis for
14 subchapter II of chapter 417 of such title, are repealed.

15 (g) COMPENSATION GUIDELINES, LIMITATIONS, AND
16 CLAIMS.—Section 41737(d) of title 49, United States
17 Code, is amended—

18 (1) by striking “(1)” before “The Secretary
19 may”; and

20 (2) by striking paragraph (2).

21 (h) JOINT PROPOSALS.—Section 41740 of title 49,
22 United States Code, and the item relating to such section
23 in the analysis for subchapter II of chapter 417 of such
24 title, are repealed.

25 (i) ESSENTIAL AIR SERVICE AUTHORIZATION.—

1 (1) IN GENERAL.—Section 41742(a) of title 49,
2 United States Code, is amended—

3 (A) in paragraph (1), by striking
4 “\$50,000,000” and inserting “\$154,400,000”;

5 (B) in paragraph (2), by striking
6 “\$155,000,000 for fiscal year 2018,” and all
7 that follows through “2023” and inserting
8 “\$335,000,000 for fiscal year 2024,
9 \$340,000,000 for fiscal year 2025,
10 \$342,000,000 for fiscal year 2026,
11 \$342,000,000 for fiscal year 2027, and
12 \$350,000,000 for fiscal year 2028”; and

13 (C) by striking paragraph (3).

14 (2) EFFECTIVE DATE.—The amendments made
15 by paragraph (1) shall take effect on October 1,
16 2023.

17 (j) PRESERVATION OF BASIC ESSENTIAL AIR SERV-
18 ICE AT SINGLE CARRIER DOMINATED HUB AIRPORTS.—
19 Section 41744 of title 49, United States Code, and the
20 item relating to such section in the analysis for subchapter
21 II of chapter 417 of such title, are repealed.

22 (k) COMMUNITY AND REGIONAL CHOICE PRO-
23 GRAMS.—Section 41745 of title 49, United States Code,
24 is amended—

1 (1) in subsection (a)(3), by striking subpara-
2 graph (E) and redesignating subparagraph (F) as
3 subparagraph (E);

4 (2) by striking subsections (b) and (c); and

5 (3) by redesignating subsections (d) through (g)
6 as subsections (b) through (e), respectively.

7 (l) **MARKETING PROGRAM.**—Section 41748 of title
8 49, United States Code, and the item relating to such sec-
9 tion in the analysis for subchapter II of chapter 417 of
10 such title, are repealed.

11 **SEC. 742. SMALL COMMUNITY AIR SERVICE DEVELOPMENT**
12 **GRANTS.**

13 Section 41743 of title 49, United States Code, is
14 amended—

15 (1) in subsection (c)—

16 (A) in paragraph (4)(B), by striking “10-
17 year” and inserting “5-year”; and

18 (B) in paragraph (5)(E), by inserting “or
19 substantially reduced (as measured by
20 enplanements, capacity (seats), schedule, con-
21 nections, or routes)” after “terminated”;

22 (2) in subsection (d)—

23 (A) in paragraph (1), by inserting “, which
24 shall begin with each new grant, including
25 same-project new grants, and which shall be

1 calculated on a non-consecutive basis for air
2 carriers that provide air service that is sea-
3 sonal” after “3 years”;

4 (B) in paragraph (2), by striking “and”
5 after the semicolon;

6 (C) in paragraph (3), by striking the pe-
7 riod and inserting “; and”; and

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

9 “(4) to provide assistance to an airport where
10 air service has been terminated or substantially re-
11 duced.”;

12 (3) in subsection (e)—

13 (A) in paragraph (1), by inserting “or the
14 community’s current air service needs” after
15 “the project”;

16 (B) in paragraph (2), by striking
17 “\$10,000,000 for each of fiscal years 2018
18 through 2023” and inserting “\$20,000,000 for
19 each of fiscal years 2024 through 2028”;

20 (4) in subsection (g)(4), by striking “and the
21 creation of aviation development zones”; and

22 (5) by striking subsections (f) and (h) and re-
23 designating subsection (g) (as amended by para-
24 graph (4)) as subsection (f).

1 **SEC. 743. GAO STUDY AND REPORT ON THE ALTERNATE ES-**
2 **SENTIAL AIR SERVICE PROGRAM.**

3 (a) STUDY.—The Comptroller General shall study the
4 effectiveness of the Alternate Essential Air Service pro-
5 gram (in this section referred to as the “Alternate EAS
6 program”), including challenges if any that have impeded
7 robust community participation in the Alternate EAS pro-
8 gram. The study shall include an assessment of potential
9 changes to the Alternate EAS program and the basic Es-
10 sential Air Service programs under section 41731 of title
11 49, United States Code, wherein Governors of Essential
12 Air Service eligible States and Puerto Rico are given block
13 grants to distribute Essential Air Service funds to Essen-
14 tial Air Service eligible communities in their States and
15 Puerto Rico.

16 (b) BRIEFING.—Not later than 1 year after the date
17 of enactment of this section, the Comptroller General shall
18 brief the appropriate committees of Congress on the study
19 required by subsection (a), together with recommendations
20 for such legislation and administrative action as the
21 Comptroller General determines appropriate.

1 **TITLE VIII—NEW ENTRANTS**
2 **Subtitle A—Unmanned Aircraft**
3 **Systems**

4 **SEC. 801. OFFICE OF ADVANCED AVIATION TECHNOLOGY**
5 **AND INNOVATION.**

6 Section 106 of title 49, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(u) OFFICE OF THE ASSOCIATE ADMINISTRATOR
10 FOR ADVANCED AVIATION TECHNOLOGY AND INNOVA-
11 TION.—

12 “(1) ESTABLISHMENT.—There is established in
13 the Federal Aviation Administration the Office of
14 Advanced Aviation Technology and Innovation (in
15 this subsection referred to as the ‘Office’).

16 “(2) ASSOCIATE ADMINISTRATOR.—The Office
17 shall be headed by an Associate Administrator, who
18 shall—

19 “(A) be appointed by the Administrator;

20 and

21 “(B) report directly to the Administrator.

22 “(3) PURPOSES.—The purposes of the Office
23 are to—

24 “(A) serve as an entry point for stake-
25 holders to share information with the Federal

1 Aviation Administration on advanced aviation
2 technologies;

3 “(B) examine the potential impact of ad-
4 vanced aviation technologies on the national air-
5 space system, and methods to safely integrate
6 into the national airspace system;

7 “(C) work collaboratively with subject mat-
8 ter experts from all lines of business and staff
9 offices to examine advanced aviation tech-
10 nologies and concepts for integration into the
11 national airspace system in an expeditious man-
12 ner that takes into account acceptable levels of
13 risk;

14 “(D) lead cross-U.S. government collabo-
15 rative efforts to develop integrated approaches
16 for the acceleration and deployment of Ad-
17 vanced Technologies;

18 “(E) provide leadership with regard to in-
19 ternal collaboration, industry engagement, and
20 collaboration with international partners;

21 “(F) lead cross-FAA integration, planning,
22 coordination, and collaboration in support of
23 the integration of advanced aviation tech-
24 nologies ;

1 “(G) support the development of safety
2 cases for advanced aviation technologies in co-
3 ordination with the operational approval office;
4 and

5 “(H) coordinate and review approval of ad-
6 vanced aviation technologies, including support
7 to and approval of any required rulemakings,
8 exemptions, waivers, or other types of author-
9 izations, as appropriate.

10 “(4) DUTIES.—The Associate Administrator
11 shall—

12 “(A) establish, manage, and oversee the
13 Office of Advanced Aviation Technology and In-
14 novation;

15 “(B) develop and maintain a comprehen-
16 sive strategy and action plan for fully inte-
17 grating advanced aviation technologies into the
18 national aviation ecosystem and providing full
19 authorization for operations at scale for each of
20 these technologies;

21 “(C) collaborate with Federal Aviation Ad-
22 ministration organizations to identify and de-
23 velop specific recommendations to address skills
24 gaps in the existing engineer and inspector

1 workforce involved in the certification and oper-
2 ational approval of safety technology;

3 “(D) coordinate and review, as appro-
4 priate, rulemaking activities related to advanced
5 aviation technologies, including by scoping com-
6 plex regulatory issues, evaluating internal proc-
7 esses, and positioning the Federal Aviation Ad-
8 ministration to support aerospace innovation;

9 “(E) coordinate and review, as appro-
10 priate, applications for type, production, or air-
11 worthiness certificates, or alternatives to air-
12 worthiness certificates, operating and pilot cer-
13 tification, and airspace authorizations, among
14 others, related to advanced aviation tech-
15 nologies;

16 “(F) coordinate and review, as appro-
17 priate, applications for waivers, exemptions and
18 other operational authorizations;

19 “(G) coordinate and review the implemen-
20 tation of the process required by section 2209
21 of the FAA Extension, Safety, and Security Act
22 of 2016 (as amended) (49 U.S.C. 40101 note);

23 “(H) coordinate with the Chief Operating
24 Officer of the Air Traffic Organization and
25 other agency leaders to develop policies to ad-

1 dress airspace integration issues at all levels of
2 uncontrolled and controlled airspace;

3 “(I) implement the BEYOND program
4 and the UAS Test Site Program, among others,
5 and develop other pilot programs in partnership
6 with industry stakeholders and State, local, and
7 Tribal Governments to enable highly automated
8 and autonomous operations of Advanced Tech-
9 nologies unmanned aircraft systems, AAM, and
10 other innovative aviation technologies at scale
11 by providing the data necessary to support
12 rulemakings and other approval processes;

13 “(J) serve as the designated Federal offi-
14 cer to the Advanced Aviation Technology and
15 Innovation Steering Committee; and

16 “(K) serve as the Federal Aviation Admin-
17 istration lead for the Drone Safety Team.

18 “(5) CONGRESSIONAL BRIEFINGS.—Not later
19 than 60 days after establishing the position in para-
20 graph (1), and on a quarterly basis thereafter, the
21 Administrator shall brief the appropriate committees
22 of Congress on the status of—

23 “(A) implementing the comprehensive
24 strategy and action plan for fully integrating
25 advanced aviation technologies into the national

1 aviation ecosystem and providing full authoriza-
2 tion for operations at scale for each of these
3 technologies;

4 “(B) rulemakings, major guidance docu-
5 ments, and other agency pilot programs or ini-
6 tiatives supporting the comprehensive strategy
7 and action plan;

8 “(C) implementing recommendations from
9 the Advanced Aviation Technology and Innova-
10 tion Steering Committee; and

11 “(D) engagement with international avia-
12 tion regulators to develop global standards for
13 advanced aviation technologies.

14 “(6) UAS INTEGRATION OFFICE.—Not later
15 than 90 days after the date of enactment of this
16 subsection, the functions, duties and responsibilities
17 of the UAS Integration Office shall be incorporated
18 into the Office.

19 “(7) DEFINITIONS.—In this subsection:

20 “(A) AAM.—The term ‘AAM’ has the
21 meaning given the term ‘advanced air mobility’
22 in section 2(i)(1) of the Advanced Air Mobility
23 Coordination and Leadership Act (49 U.S.C.
24 40101 note).

1 “(B) ADVANCED AVIATION TECH-
2 NOLOGIES.—The term ‘advanced aviation tech-
3 nologies’ means technologies for which introduc-
4 tion has potential safety implications and shall
5 include unmanned aircraft systems, powered-lift
6 aircraft, electric propulsion, and super- and
7 hypersonic aircraft.”.

8 **SEC. 802. ADVANCED AVIATION TECHNOLOGY AND INNOVA-**
9 **TION STEERING COMMITTEE.**

10 (a) ESTABLISHMENT.—Not later than 30 days after
11 the date of enactment of this section, the Administrator
12 shall establish an Advanced Aviation Technology and In-
13 novation Steering Committee (in this section referred to
14 as the “Steering Committee”) to ensure the FAA’s com-
15 prehensive strategy and action plan for fully integrating
16 unmanned aircraft systems, AAM, and other innovative
17 aviation technologies into the national aviation ecosystem
18 and providing full authorization for operations at scale for
19 each of these technologies as reflects the equities and in-
20 terests of all stakeholders within the agency.

21 (b) CHAIR.—The Associate Administrator for Ad-
22 vanced Aviation Technology and Innovation shall serve as
23 the Chair of the Steering Committee.

1 (c) COMPOSITION.—In addition to the Chair, the
2 Steering Committee shall consist of at least 1 senior leader
3 of each of the following FAA offices:

4 (1) Aircraft Certification Service.

5 (2) Flight Standards Service.

6 (3) Air Traffic Organization.

7 (4) Office of Accident Investigation and Preven-
8 tion.

9 (5) Office of Aerospace Medicine.

10 (6) Office of Airports.

11 (7) Office of Commercial Space.

12 (8) Office of Finance and Management.

13 (9) Office of NextGen or any successor office.

14 (10) Office of the Chief Counsel.

15 (11) Office of Rulemaking.

16 (12) Office of Policy, International Affairs, and
17 Environment.

18 **SEC. 803. BEYOND VISUAL LINE OF SIGHT OPERATIONS**

19 **FOR UNMANNED AIRCRAFT SYSTEMS.**

20 (a) IN GENERAL.—Chapter 448 of title 49, United
21 States Code, is amended by adding at the end the fol-
22 lowing:

1 **“§ 44811. Beyond visual line of sight operations for**
2 **unmanned aircraft systems**

3 “(a) IN GENERAL.—Not later than 6 months after
4 the date of enactment of this section, the Administrator
5 of the Federal Aviation Administration (in this section re-
6 ferred to as the ‘Administrator’) shall issue a notice of
7 proposed rulemaking establishing a regulatory pathway
8 for certification or approval of unmanned aircraft systems
9 to enable commercial beyond visual line of sight (in this
10 section referred to as ‘BVLOS’) operations.

11 “(b) CONSULTATION.—

12 “(1) IN GENERAL.—Subject to paragraph (2),
13 in promulgating the rule under subsection (a), the
14 Administrator shall implement the final report and
15 recommendations of the Beyond Visual Line of Sight
16 Aviation Rulemaking Committee which were sub-
17 mitted to the Administrator on March 10, 2022.

18 “(2) EXCEPTION.—If the Administrator deter-
19 mines not to implement 1 or more of the rec-
20 ommendations described in paragraph (1), the Ad-
21 ministrator shall provide to the appropriate commit-
22 tees of Congress a statement of explanation for such
23 determination.

24 “(c) FINAL RULE.—

25 “(1) IN GENERAL.—Not later than 2 years
26 after the date of enactment of this section, the Ad-

1 administrator shall issue a final rule establishing a reg-
2 ulatory pathway for certification or approval of un-
3 manned aircraft systems to enable commercial
4 BVLOS operations.

5 “(2) REQUIREMENTS.—The final rule described
6 in paragraph (1) shall, at a minimum, do the fol-
7 lowing:

8 “(A) Establish an applicable risk assess-
9 ment methodology for the authorization of
10 BVLOS unmanned aircraft system operations
11 that includes quantified measures of accept-
12 ability which sufficiently account for the total
13 air and ground risks associated with such oper-
14 ations and the means for mitigating such risks,
15 taking into account an aircraft’s size, weight,
16 speed, kinetic energy, operational capability,
17 proximity to airports and populated areas, oper-
18 ation over people, and operation beyond the vis-
19 ual line of sight, or operation during the day or
20 night, including consideration of unmanned air-
21 craft using an approved or accepted detect and
22 avoid system appropriate for the class and type
23 of airspace in which the operation is being con-
24 ducted.

1 “(B) Establish remote pilot certification
2 standards for remote pilots for BVLOS oper-
3 ations, taking into account varying levels of
4 automated control and management of un-
5 manned aircraft system flights.

6 “(C) Establish an airworthiness process for
7 small unmanned aircraft systems that requires
8 a manufacturer’s declaration of compliance to a
9 Federal Aviation Administration accepted
10 means of compliance, which shall not require
11 type or production certification or the issuance
12 of a special airworthiness certificate.

13 “(D) Establish a special airworthiness cer-
14 tificate to be issued upon a manufacturer’s dec-
15 laration of compliance to a Federal Aviation
16 Administration accepted means of compliance,
17 which—

18 “(i) shall not require type or produc-
19 tion certification;

20 “(ii) shall, at least, govern airworthi-
21 ness of any unmanned aircraft system
22 that—

23 “(I) is not—

24 “(aa) a small unmanned air-
25 craft system; and

1 “(bb) appropriate for the
2 process described in subpara-
3 graph (C), as determined by the
4 Administrator;

5 “(II) has a maximum gross
6 weight of not more than 1,320 lbs;
7 and

8 “(III) has a maximum speed of
9 100 miles per hour; and

10 “(iii) may require unmanned aircraft
11 systems subject to the certificate to oper-
12 ate in the national airspace system at alti-
13 tudes below at least—

14 “(I) 400 feet above ground level;

15 or

16 “(II) with respect to an un-
17 manned aircraft system flown within a
18 400-foot radius of a structure, 400
19 feet above the structure’s immediate
20 uppermost limit.

21 “(E) Amend the Code of Federal Regula-
22 tions to establish generally applicable standards
23 for the type certification of unmanned aircraft
24 systems that the Administrator determines pose
25 higher air or ground risks such that those un-

1 manned aircraft systems are not appropriate
2 for approvals under the processes described in
3 subparagraph (C) or (D).

4 “(F) Establish operating rules for—

5 “(i) the operation of the unmanned
6 aircraft systems described in subpara-
7 graphs (C), (D), or (E); and

8 “(ii) certain unmanned aircraft sys-
9 tems to enable lower-risk BVLOS oper-
10 ations without airworthiness requirements
11 in a manner consistent with the final re-
12 port and recommendations of the Beyond
13 Visual Line of Sight Aviation Rulemaking
14 Committee described in subsection (b)(1).

15 “(3) RULE OF CONSTRUCTION.—Nothing in
16 this section shall prohibit the use of the manufac-
17 turer declarations of compliance required under
18 paragraph (2)(C) for other unmanned aircraft sys-
19 tems.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 448 of title 49, United States Code, is amended by
22 inserting after the item relating to section 44810 the fol-
23 lowing:

 “44811. Beyond visual line of sight operations for unmanned aircraft systems.”.

1 **SEC. 804. EXTENDING SPECIAL AUTHORITY FOR CERTAIN**
2 **UNMANNED AIRCRAFT SYSTEMS.**

3 (a) EXTENSION.—Section 44807(d) of title 49,
4 United States Code, is amended by striking “September
5 30, 2023” and inserting “on the date the rules described
6 in section 44811 take effect”.

7 (b) CLARIFICATION.—Section 44807(a) of title 49,
8 United States Code, is amended by inserting “or chapter
9 447” after “Notwithstanding any other requirement of
10 this chapter”.

11 (c) EXPEDITED EXEMPTIONS.—In exercising author-
12 ity under section 44807 of title 49, United States Code
13 (as amended by subsection (a)), the Administrator shall,
14 taking into account the statutory mandate to ensure safe
15 and efficient use of the national airspace system and with-
16 out requiring a rulemaking or imposing the requirements
17 of part 11 of title 14, Code of Federal Regulations, grant
18 exemptions—

19 (1) to enable—

20 (A) low-risk beyond visual line of sight op-
21 erations, such as certain package delivery oper-
22 ations or shielded operations within 100 feet of
23 the ground or a structure; or

24 (B) extended visual line of sight operations
25 that rely on visual observers to keep the aircraft
26 or airspace within view; or

1 (2) that are aligned with FAA exemptions that
2 enable beyond visual line of sight operations with the
3 use of acoustics, ground based radar, and other
4 technological solutions.

5 (d) CLARIFICATION OF STATUS OF PREVIOUSLY
6 ISSUED RULEMAKINGS AND EXEMPTIONS.—

7 (1) RULEMAKINGS.—Any rulemaking published
8 prior to the date of enactment of this section under
9 the authority described in section 44807 of title 49,
10 United States Code, shall continue to be in effect
11 following the expiration of such authority.

12 (2) EXEMPTIONS.—Any exemption granted
13 under the authority described in section 44807 of
14 title 49, United States Code, and in effect as of Sep-
15 tember 30, 2023, shall continue to be in effect until
16 the date that is 3 years after the date of termination
17 described in such exemption.

18 (3) DELEGATION.—The authority granted to
19 the Secretary in such section 44807 may continue to
20 be delegated to the Administrator in whole or in
21 part.

22 (4) RULES OF CONSTRUCTION.—Nothing in
23 this section shall be construed to interfere with the
24 Secretary's—

1 (A) authority to rescind or amend the
2 granting of an exemption for reasons such as
3 unsafe conditions or operator oversight; or

4 (B) ability to grant an exemption based on
5 a determination made pursuant to such section
6 44807 prior to the date described in subsection
7 (d) of such section.

8 **SEC. 805. ENVIRONMENTAL REVIEW AND NOISE CERTIFI-**
9 **CATION.**

10 (a) NATIONAL ENVIRONMENTAL POLICY ACT GUID-
11 ANCE.—Not later than 90 days after the date of enact-
12 ment of this section, the Administrator shall publish
13 drone-specific environmental review guidance and imple-
14 mentation procedures and thereafter revise such guidance
15 as appropriate to carry out the requirements of this sec-
16 tion.

17 (b) PROGRAMMATIC LEVEL APPROACH TO NEPA
18 REVIEW.—Not later than 90 days after the date of enact-
19 ment of this section, the Administrator shall examine and
20 integrate programmatic-level approaches to the require-
21 ments of the National Environmental Policy Act of 1969
22 (42 U.S.C. 4321 et seq.) (including regulations promul-
23 gated to carry out that Act) for the commercial drone in-
24 dustry to create an efficient process for preparing environ-
25 mental reviews of reasonably foreseeable drone operations

1 across a geographic region, for an individual operator's
2 network of drone operations within a defined geographic
3 region, and for operations within and over commercial and
4 industrial sites closed or restricted to the public.

5 (c) DEVELOPING ONE OR MORE CATEGORICAL EX-
6 CLUSIONS.—The Administrator shall engage in ongoing
7 consultations with the Council on Environmental Quality
8 to identify actions that are appropriate for a categorical
9 exclusion and shall incorporate such actions in FAA Order
10 1050.1F, as amended or revised, from time to time, as,
11 and when, deemed appropriate.

12 (d) SUSPENSION OF NOISE CERTIFICATION RE-
13 QUIREMENT PENDING STANDARDS DEVELOPMENT.—

14 (1) IN GENERAL.—Upon the date of enactment
15 of this section, and notwithstanding the require-
16 ments of section 44715 of title 49, United States
17 Code, the Administrator shall waive the determina-
18 tion of compliance with part 36 of title 14, Code of
19 Federal Regulations, for drone models seeking type
20 and airworthiness certification, and shall not deny,
21 withhold, or delay such certification due to the ab-
22 sence of a noise certification basis under such part,
23 provided the FAA has developed appropriate noise
24 measurement procedures for such drone models and

1 the FAA has received the noise measurement results
2 based on those procedures from the applicant.

3 (2) DURATION.—The suspension provided in
4 this subsection shall continue until such time as the
5 Administrator publishes final noise certification
6 standards for drones as amendments to part 36 of
7 title 14, Code of Federal Regulations, or to another
8 part of title 14 of such Code.

9 (3) DEADLINE FOR NOISE CERTIFICATION
10 STANDARDS.—Based on drone noise data the Ad-
11 ministrator has received in the process of reviewing
12 applications for type and airworthiness certification,
13 in conducting environmental assessments of pro-
14 posed drone operations under section 44807 of title
15 49, United States Code, and part 135 of title 14,
16 Code of Federal Regulations, and from other
17 sources, including standards organizations, the Ad-
18 ministrator shall propose generally applicable drone
19 noise certification standards, not later than the date
20 that is 36 months after the date of enactment of
21 this section, and following notice and comment rule-
22 making procedures, and shall publish final noise cer-
23 tification standards not later than 24 months after
24 the date on which the period for public comment on

1 such proposed generally applicable noise certification
2 standards ends.

3 (e) DRONE DEFINED.— In this section, the term
4 “drone” has the meaning given the term “unmanned air-
5 craft” in section 44801 of title 49, United States Code.

6 **SEC. 806. UTM IMPLEMENTATION.**

7 (a) APPROVAL PROCESS.—Not later than 270 days
8 after the date of enactment of this section, the Adminis-
9 trator shall establish procedures, which may include a
10 rulemaking, to establish a standard approval process for
11 third party service suppliers of UTM in order to fulfill
12 safety functions for Beyond Visual Line of Sight.

13 (b) ASTM STANDARD.— In establishing the stand-
14 ard approval process required by subsection (a), the Ad-
15 ministrator shall ensure that ASTM International Stand-
16 ard F3548–21, entitled “UAS Traffic Management
17 (UTM) UAS Service Supplier (USS) Interoperability”,
18 and any future possible revisions as refined and validated
19 by the Administrator in conjunction with stakeholders in-
20 cluding the private sector, is included as an acceptable
21 means of compliance.

22 (c) CERTIFICATION.—

23 (1) IN GENERAL.—Not later than 180 days of
24 the date of enactment of this section, the Adminis-
25 trator shall initiate a process, which may include a

1 rulemaking, to define and implement criteria and
2 conditions for the certification and oversight of third
3 party service suppliers of UTM that could have a di-
4 rect or indirect impact on air traffic services in the
5 national airspace system and require FAA oversight.

6 (2) CONSIDERATIONS.—In carrying out the cer-
7 tification process described in paragraph (1) the Ad-
8 ministrator shall consider the facilitation and
9 streamlining of processes for global recognition and
10 applicability, including through bilateral aviation
11 safety agreements, implementation procedures, and
12 other associated bilateral arrangements.

13 (d) DEFINITIONS.—In this section:

14 (1) THIRD PARTY SERVICE SUPPLIER.—The
15 term “third party service supplier” means an entity
16 other than the UAS operator or the FAA that pro-
17 vides a distributed service that affects the national
18 airspace system safety, including UAS Service Sup-
19 pliers (USS), Supplemental Data Service Providers
20 (SDSPs), and infrastructure providers such as
21 ground-based surveillance, command-and-control and
22 information exchange to another party.

23 (2) UTM.—The term “UTM” has the meaning
24 given that term in section 44801 of title 49, United
25 States Code.

1 (3) UAS.—The term “UAS” has the meaning
2 given the term “unmanned aircraft system” in sec-
3 tion 44801 of title 49, United States Code.

4 **SEC. 807. OPERATIONS OVER THE HIGH SEAS.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this section, and to the extent per-
7 mitted by treaty obligations of the United States, includ-
8 ing the Convention on International Civil Aviation, the Ad-
9 ministrator shall establish and implement an operational
10 approval process to permit small unmanned aircraft sys-
11 tems (as defined in section 44801 of title 49, United
12 States code), and unmanned aircraft systems (as so de-
13 fined) with a special airworthiness certificate, to operate
14 over the high seas within flight information regions for
15 which the United States is responsible for the operational
16 control.

17 (b) CONSULTATION.—In establishing and imple-
18 menting the approval process under subsection (a), the
19 Administrator shall consult with appropriate stakeholders
20 outside of the FAA, including industry stakeholders.

21 **SEC. 808. EXTENSION OF THE BEYOND PROGRAM.**

22 (a) IN GENERAL.—Chapter 448 of title 49, United
23 States Code, as amended by section 803(a), is amended
24 by adding at the end the following new section:

1 **“§ 44812. BEYOND program**

2 “During the period beginning on the date of enact-
3 ment of this section and ending on September 30, 2028,
4 the Administrator of the Federal Aviation Administration
5 shall continue to operate the Federal Aviation Administra-
6 tion’s BEYOND program (as established on October 26,
7 2020) under the same terms and conditions applicable
8 under such program as of such date of enactment. A waiv-
9 er or authority granted under the Unmanned Aircraft Sys-
10 tem Integration Pilot Program established under section
11 351 of the FAA Reauthorization Act of 2018 shall con-
12 tinue to apply during such period to an entity partici-
13 pating in the BEYOND program under such waiver or
14 authority on such date of enactment for so long as the
15 entity continues to participate in the BEYOND pro-
16 gram.”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-
18 ter 448 of title 49, United States Code, as amended by
19 section 803(b), is amended by inserting after the item re-
20 lating to section 44811 the following:

“44812. BEYOND program.”.

21 **SEC. 809. EXTENSION OF THE KNOW BEFORE YOU FLY CAM-**
22 **PAIGN.**

23 Section 356 of the FAA Reauthorization Act of 2018
24 (Pub. Law 115–254; 132 Stat. 3305) is amended by strik-

1 ing “2019 through 2023” and inserting “2024 through
2 2028”.

3 **SEC. 810. UNMANNED AIRCRAFT SYSTEM DATA EXCHANGE.**

4 (a) DATA EXCHANGE PLAN.—Not later than 180
5 days after the date of enactment of this section, the Ad-
6 ministrator shall develop and submit to the appropriate
7 committees of Congress a plan to make available data that
8 is prudent to ensure the safe integration of unmanned air-
9 craft systems into the national airspace system. Such plan
10 shall include the following:

11 (1) A description of technical efforts to digitize
12 and automate aeronautical information (including
13 through the development and use of an unmanned
14 aircraft systems geospatial information management
15 system) to provide an authoritative source of
16 geospatial information to support the operation of
17 unmanned aircraft systems in the national airspace
18 system.

19 (2) Suggested refinements to standard sets of
20 aeronautical information for current and upcoming
21 unmanned aircraft systems integration efforts to fa-
22 cilitate the exchange of unmanned aircraft systems
23 data that is relevant to the unmanned aircraft sys-
24 tems community.

1 (3) An identification of sensitive flight data
2 that may require information security controls or
3 protection to safeguard the operational security of
4 such flight activity with respect to air navigation
5 services that contain information about sensitive na-
6 tional security or law enforcement flights.

7 (4) Means and service fees for the data to be
8 shared consistent with industry standard geospatial
9 formats.

10 (b) COORDINATION.—In developing the plan under
11 subsection (a), the Administrator shall—

12 (1) solicit from the Secretary of the Interior
13 and other departments or agencies, as deemed nec-
14 essary by the Administrator, information relevant to
15 the safe operation of unmanned aircraft systems in
16 the national airspace system; and

17 (2) coordinate with unmanned aircraft systems
18 industry and technical groups to identify an efficient
19 and effective format, method, and cadence for pro-
20 viding the required data.

21 **SEC. 811. UNMANNED AIRCRAFT SYSTEM DETECTION AND**
22 **MITIGATION ENFORCEMENT AUTHORITY.**

23 (a) IN GENERAL.—Chapter 448 of title 49, United
24 States Code, as amended by sections 803(a) and 808(a),
25 is amended by adding at the end the following:

1 **“§ 44813. Unmanned aircraft system detection and**
2 **mitigation enforcement**

3 “(a) PROHIBITION.—

4 “(1) IN GENERAL.—No person may operate a
5 system or technology to detect, identify, monitor,
6 track, or mitigate an unmanned aircraft or un-
7 manned aircraft system in a manner that adversely
8 impacts or interferes with safe airport operations,
9 navigation, or air traffic services, or the safe and ef-
10 ficient operation of the national airspace system.

11 “(2) ACTIONS BY THE ADMINISTRATOR.—The
12 Administrator of the Federal Aviation Administra-
13 tion may take such action as may be necessary to
14 address the adverse impacts or interference of oper-
15 ations that violate paragraph (1).

16 “(3) TERMINATION.—The prohibition under
17 paragraph (1) shall not apply on or after September
18 30, 2028.

19 “(b) PENALTIES.—A person who operates a system
20 or technology in violation of subsection (a)(1) is liable to
21 the Federal Government for a civil penalty of not more
22 than \$25,000 per violation.

23 “(c) RULE OF CONSTRUCTION.—The term ‘person’
24 as used in this section does not include—

1 (1) in subsection (a) by striking paragraph (6)
2 and inserting the following:

3 “(6) Except for circumstances when the Admin-
4 istrator establishes alternative altitude ceilings or as
5 otherwise authorized in subsection (c)(2), in Class G
6 airspace, the aircraft is flown from the surface to
7 not more than 400 feet above ground level and com-
8 plies with all airspace and flight restrictions and
9 prohibitions established under this chapter, such as
10 special use airspace designations and temporary
11 flight restrictions.”;

12 (2) in subsection (c)—

13 (A) in paragraph (1) by striking “organi-
14 zation conducting a sanctioned event” and in-
15 serting “organization sponsoring operations”;

16 (B) by redesignating paragraph (2) as
17 paragraph (3);

18 (C) in paragraph (3) (as so redesi-
19 gnated)—

20 (i) in the paragraph heading by strik-
21 ing “WEIGHING MORE THAN 55 POUNDS”
22 and inserting “WEIGHING 55 POUNDS OR
23 GREATER”;

24 (ii) in the matter preceding subpara-
25 graph (A), by striking “weighing more

1 than 55 pounds” and inserting “weighing
2 55 pounds or greater”; and

3 (iii) in subparagraph (B), by inserting
4 “or (2)” after “paragraph (1)”; and

5 (D) by inserting after paragraph (1) the
6 following:

7 “(2) OPERATIONS IN CLASS G AIRSPACE.—Sub-
8 ject to compliance with all airspace and flight re-
9 strictions and prohibitions established under this
10 chapter, such as special use airspace designations
11 and temporary flight restrictions—

12 “(A) persons operating drones under sub-
13 section (a) from a fixed site at which the oper-
14 ations are sponsored by a community-based or-
15 ganization may operate within Class G air-
16 space—

17 “(i) up to 400 feet above ground level,
18 without prior authorization from the Ad-
19 ministrator; and

20 “(ii) above 400 feet above ground
21 level, with prior authorization from the Ad-
22 ministrator; and

23 “(B) persons operating drones under para-
24 graph (3) from a fixed site at which the oper-
25 ations are sponsored by a community-based or-

1 organization may operate within Class G airspace
2 with prior authorization from the Adminis-
3 trator.”;

4 (3) in subsection (d) by striking the subsection
5 heading and all that follows through “Nothing in
6 this subsection” and inserting the following:

7 “(d) SAVINGS CLAUSE.—Nothing in this subsection”;

8 (4) in subsection (f)(1) by striking “updates to
9 the operational parameters” and inserting “the oper-
10 ational limitations”; and

11 (5) in subsection (h)—

12 (A) by redesignating paragraphs (1)
13 through (6) as paragraphs (2) through (7), re-
14 spectively; and

15 (B) by inserting before paragraph (2) (as
16 so redesignated) the following:

17 “(1) is recognized by the Administrator of the
18 Federal Aviation Administration;”.

19 (b) USE OF UAS AT INSTITUTIONS OF HIGHER EDU-
20 CATION.—Section 350 of the FAA Reauthorization Act of
21 2018 (49 U.S.C. 44809 note) is amended—

22 (1) in subsection (a)—

23 (A) by redesignating paragraphs (2) and
24 (3) as paragraphs (3) and (4), respectively; and

1 (B) by inserting after paragraph (1) the
2 following:

3 “(2) operated by an elementary school or sec-
4 ondary school for educational or research pur-
5 poses;”; and

6 (2) in subsection (d)—

7 (A) in paragraph (2), in the matter pre-
8 ceeding subparagraph (A), by inserting “an ele-
9 mentary school, or a secondary school,” after
10 “institution of higher education,”; and

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

12 “(3) ELEMENTARY SCHOOL.—The term ‘ele-
13 mentary school’ has the meaning given that term in
14 section 8101 of the Elementary and Secondary Edu-
15 cation Act of 1965 (20 U.S.C. 7801).

16 “(4) SECONDARY SCHOOL.—The term ‘sec-
17 ondary school’ has the meaning given that term in
18 section 8101 of the Elementary and Secondary Edu-
19 cation Act of 1965 (20 U.S.C. 7801).”.

20 **SEC. 813. UAS TEST RANGES.**

21 (a) IN GENERAL.—Chapter 448 of title 49, United
22 States Code, is amended by striking section 44803 and
23 inserting the following:

24 **“§ 44803. Unmanned aircraft test ranges**

25 “(a) TEST RANGES.—

1 “(1) IN GENERAL.—The Administrator of the
2 Federal Aviation Administration shall carry out and
3 update, as appropriate, a program for the use of un-
4 manned aircraft system test ranges to—

5 “(A) enable a broad variety of research,
6 development, testing, and evaluation activities
7 at the test ranges; and

8 “(B) not later than 5 years after the date
9 of enactment of the FAA Reauthorization Act
10 of 2023, expand the number of test ranges, to
11 the extent consistent with aviation safety and
12 efficiency, for purposes of the safe integration
13 of unmanned aircraft systems into the national
14 airspace system.

15 “(2) DESIGNATIONS.—

16 “(A) IN GENERAL.—Subject to subpara-
17 graph (B), the designations of test ranges
18 under this section may include the following:

19 “(i) The 7 test ranges established by
20 the Administrator under section 332(e) of
21 the FAA Modernization and Reform Act of
22 2012 (49 U.S.C. 40101 note), as in effect
23 on the day before the date of enactment of
24 the FAA Reauthorization Act of 2018, and
25 pursuant to section 2201(b) of the FAA

1 Extension, Safety, and Security Act of
2 2016 (49 U.S.C. 40101 note), which, ex-
3 cept for the eligibility factors as provided
4 in paragraph (3) of this section, shall each
5 be subject to the requirements of this sec-
6 tion.

7 “(ii) Two additional test ranges sub-
8 ject to the requirements of this section,
9 which may be established by the Adminis-
10 trator through a competitive selection proc-
11 ess after successful conversion of test
12 ranges established prior to the date of en-
13 actment of the FAA Reauthorization Act
14 of 2023 and at least 6 months of data
15 sharing demonstrating safe operations and
16 improved use of the test range consistent
17 with any standard established by the Ad-
18 ministrator through the selection process.

19 “(B) LIMITATION.—Not more than 9 test
20 ranges shall be designated under this section at
21 any given time.

22 “(3) ELIGIBILITY.—An applicant shall be con-
23 sidered eligible for designation as a test range spon-
24 sor under paragraph (2)(A)(ii) based on the fol-
25 lowing criteria:

1 “(A) The applicant shall be an instrumen-
2 tality of a State, a local, tribal, or territorial
3 government, or other public entity.

4 “(B) The applicant shall be approved by
5 the chief executive officer of the State, local,
6 territorial, or tribal government for the appli-
7 cant’s principal place of business, prior to seek-
8 ing designation by the Administrator.

9 “(C) The applicant shall not have been se-
10 lected previously by the Administrator to spon-
11 sor or host a test range covered by this section.

12 “(D) The applicant shall undertake and
13 ensure testing in innovative concepts, tech-
14 nologies, and operations that will offer new
15 safety benefits, including expanding advanced
16 research and developing and retaining an ad-
17 vanced aviation industrial base within the
18 United States.

19 “(E) The applicant shall meet any other
20 requirements established by the Administrator
21 in a competitive selection process.

22 “(b) AIRSPACE REQUIREMENTS.—

23 “(1) IN GENERAL.—In carrying out the pro-
24 gram under subsection (a), the Administrator may
25 establish, upon the request of a test range sponsor

1 designated by the Administrator under subsection
2 (a), a restricted area, pursuant to part 73 of title
3 14, Code of Federal Regulations, for purposes of—

4 “(A) accommodating hazardous research,
5 development, testing, and evaluation activities
6 to inform the safe integration of unmanned air-
7 craft systems into the national airspace system;
8 or

9 “(B) other activities authorized by the Ad-
10 ministrator pursuant to subsection (f).

11 “(2) NEPA REVIEW.—The Administrator may
12 require that each test range sponsor designated by
13 the Administrator under subsection (a) provide a
14 draft environmental review consistent with the Na-
15 tional Environmental Policy Act of 1969 (42 U.S.C.
16 4321 et seq.), subject to the supervision and adop-
17 tion by the Federal Aviation Administration, with
18 respect to any request for the establishment of a re-
19 stricted area under this subsection.

20 “(3) INACTIVE RESTRICTED AREA.—

21 “(A) IN GENERAL.—In the event a re-
22 stricted area established under paragraph (1) is
23 not needed to meet the requirements of the
24 using agency (as described in subparagraph

1 (B)), the restricted area shall be inactive and
2 revert to the controlling agency.

3 “(B) USING AGENCY.—For purposes of
4 this subsection, a test range sponsor designated
5 by the Administrator under subsection (a) shall
6 be considered the using agency with respect to
7 a restricted area established by the Adminis-
8 trator under this subsection.

9 “(4) APPROVAL AUTHORITY.—The Adminis-
10 trator shall have the authority to approve access by
11 a participating or nonparticipating operator to a test
12 range or restricted area established by the Adminis-
13 trator under this subsection.

14 “(c) PROGRAM REQUIREMENTS.—In carrying out the
15 program under subsection (a), the Administrator—

16 “(1) may develop operational standards and air
17 traffic requirements for flight operations at test
18 ranges;

19 “(2) shall coordinate with, and leverage the re-
20 sources of, the National Aeronautics and Space Ad-
21 ministration and the Department of Defense, as ap-
22 propriate;

23 “(3) shall address both civil and public aircraft
24 operations;

1 “(4) shall provide for verification of the safety
2 of flight systems and related navigation procedures
3 as it relates to the continued development of stand-
4 ards for integration of unmanned aircraft systems
5 into the national airspace system;

6 “(5) shall engage test range sponsors, as nec-
7 essary and with available resources, in projects for
8 research, development, testing, and evaluation of
9 flight systems to facilitate the Federal Aviation Ad-
10 ministration’s development of standards for the safe
11 integration of unmanned aircraft systems into the
12 national airspace system, which may include solu-
13 tions for—

14 “(A) developing and enforcing geographic
15 and altitude limitations;

16 “(B) providing for alerts by the manufac-
17 turer regarding any hazards or limitations on
18 flight, including prohibition on flight as nec-
19 essary;

20 “(C) developing sense and avoid capabili-
21 ties;

22 “(D) developing technology to support
23 communications, navigation, and surveillance;

24 “(E) beyond visual line of sight (BVLOS)
25 operations, nighttime operations, operations

1 over people, operations involving multiple small
2 unmanned aircraft systems, unmanned aircraft
3 systems traffic management, or other critical
4 research priorities; and

5 “(F) improving privacy protections
6 through the use of advances in unmanned air-
7 craft systems;

8 “(6) shall coordinate periodically with all test
9 range sponsors to ensure the test range sponsors
10 know which data should be collected, how data can
11 be de-identified to flow more readily to the Federal
12 Aviation Administration, what procedures should be
13 followed, and what research would advance efforts to
14 safely integrate unmanned aircraft systems into the
15 national airspace system; and

16 “(7) shall allow test range sponsors to receive
17 Federal funding (including in-kind contributions),
18 other than from the Federal Aviation Administra-
19 tion, from test range participants in furtherance of
20 research, development, and testing objectives.

21 “(d) EXEMPTION.—Except as provided in subsection
22 (f), the requirements of section 44711 (including any re-
23 lated implementing regulations) shall not apply to persons
24 approved by the test range sponsor for operation at a test
25 range designated by the Administrator under this section.

1 “(e) RESPONSIBILITIES OF TEST RANGE SPON-
2 SORS.—The sponsor of each test range designated by the
3 Administrator under subsection (a) shall do the following:

4 “(1) Provide access to all interested private and
5 public entities seeking to carry out research at the
6 test range, to the greatest extent practicable, con-
7 sistent with safety and any operating procedures es-
8 tablished by the test range sponsor, including access
9 by small business concerns (as defined in section 3
10 of the Small Business Act (15 U.S.C. 632)).

11 “(2) Maintain operational control for all testing
12 activities conducted at its respective test range.

13 “(3) Ensure all activities remain within the geo-
14 graphical boundaries and altitude limitations estab-
15 lished for any restricted area covering the test
16 range.

17 “(4) Ensure any activity conducted at the des-
18 ignated test range is not conducted in a careless or
19 reckless manner.

20 “(5) Establish safe operating procedures for all
21 operators approved for testing activities at the test
22 range, including provisions for maintaining oper-
23 ational control and ensuring protection of persons
24 and property on the ground, subject to approval by
25 the Administrator.

1 “(6) Exercise direct oversight of all operations
2 conducted at the test range.

3 “(7) Consult with the Administrator on the na-
4 ture of planned activity at the test range and wheth-
5 er segregation of the airspace is required to contain
6 the activity consistent with aviation safety.

7 “(8) Protect proprietary technology, sensitive
8 data, or sensitive research of any civil or private en-
9 tity when using the test range.

10 “(9) Maintain detailed records of all ongoing
11 and completed research activities conducted at the
12 test range and all operators conducting such activi-
13 ties, for inspection by, and reporting to, the Admin-
14 istrator, as required by agreement between the Ad-
15 ministrator and the test range sponsor.

16 “(10) Make all original records available for in-
17 spection upon request by the Administrator.

18 “(11) Provide recommendations, on a quarterly
19 basis until the program terminates, to the Adminis-
20 trator to further enable public and private research
21 and development operations at the test ranges that
22 contribute to the Federal Aviation Administration’s
23 safe integration of unmanned aircraft systems into
24 the national airspace system.

1 “(f) TESTING.—The Administrator may authorize a
2 sponsor of a test range designated under subsection (a)
3 to host research, development, testing, and evaluation ac-
4 tivities other than those directly related to the integration
5 of unmanned aircraft systems into the national airspace
6 system, provided that—

7 “(1) the activity is necessary to inform the de-
8 velopment of standards or policy for integrating new
9 types of flight systems into the national airspace
10 system; and

11 “(2) the Administrator waives the requirements
12 of section 44711 (including any related imple-
13 menting regulations) to the extent the Administrator
14 determines such waiver is consistent with aviation
15 safety.

16 “(g) COLLABORATIVE RESEARCH AND DEVELOP-
17 MENT AGREEMENTS.—The Administrator may use the
18 transaction authority under section 106(l)(6), in coordina-
19 tion with the Center of Excellence for Unmanned Aircraft
20 Systems, to enter into collaborative research and develop-
21 ment agreements or to direct research related to un-
22 manned aircraft systems, including at any test range des-
23 ignated under subsection (a).

24 “(h) USE OF CENTER OF EXCELLENCE FOR UN-
25 MANNED AIRCRAFT SYSTEMS.—The Administrator, in

1 carrying out research necessary to implement the con-
2 sensus safety standards accepted under section 44805,
3 shall, to the maximum extent practicable, leverage the re-
4 search and testing capacity and capabilities of the Center
5 of Excellence for Unmanned Aircraft Systems and the test
6 ranges designated under subsection (a).

7 “(i) CLARIFICATION.—Nothing in this section shall
8 be construed as authorizing the research, development,
9 testing, evaluation, or any other use of a system or tech-
10 nology for the detection or mitigation of unmanned air-
11 craft systems (commonly referred to as ‘counter-UAS’) at
12 any test range designated under subsection (a).

13 “(j) TERMINATION.—The program under this section
14 shall terminate on September 30, 2028.”.

15 (b) CONFORMING AMENDMENT.—Section 44801(10)
16 of title 49, United States Code, is amended by striking
17 “any of the 6 test ranges established by the Administrator
18 under section 332(e) of the FAA Modernization and Re-
19 form Act of 2012 (49 U.S.C. 40101 note), as in effect
20 on the day before the date of enactment of the FAA Reau-
21 thorization Act of 2018, and any public entity authorized
22 by the Federal Aviation Administration as an unmanned
23 aircraft system flight test center before January 1, 2009”
24 and inserting “the test ranges designated by the Adminis-
25 trator under section 44803”.

1 **SEC. 814. AUTHORITY REGARDING PROTECTION OF CER-**
2 **TAIN FACILITIES AND ASSETS FROM UN-**
3 **MANNED AIRCRAFT.**

4 Section 547 of title V of division F of the Consoli-
5 dated Appropriations Act, 2023 (Public Law 117–328) is
6 amended by striking “September 30, 2023” and inserting
7 “September 30, 2026”.

8 **SEC. 815. AIRPORT SAFETY AND AIRSPACE HAZARD MITI-**
9 **GATION AND ENFORCEMENT.**

10 Section 44810(h) of title 49, United States Code, is
11 amended by striking “September 30, 2023” and inserting
12 “September 30, 2028”.

13 **SEC. 816. SPECIAL AUTHORITY FOR TRANSPORT OF HAZ-**
14 **ARDOUS MATERIALS BY COMMERCIAL PACK-**
15 **AGE DELIVERY UNMANNED AIRCRAFT SYS-**
16 **TEMS.**

17 (a) IN GENERAL.—Notwithstanding any other Fed-
18 eral requirement or restriction related to the transpor-
19 tation of hazardous materials on aircraft, the Secretary
20 shall, beginning not later than 180 days after enactment
21 of this section, use a risk-based approach to establish the
22 operational requirements, standards, or special permits
23 necessary to approve or authorize the safe transportation
24 of hazardous materials by unmanned aircraft systems pro-
25 viding common carriage under part 135 of title 14, Code

1 of Federal Regulations, or under other authorities, as ap-
2 plicable.

3 (b) REQUIREMENT.—In implementing the authority
4 in subsection (a), the Secretary shall consider, at a min-
5 imum—

6 (1) the safety of the public and users of the na-
7 tional airspace system;

8 (2) efficiencies of allowing the safe transpor-
9 tation of hazardous materials by unmanned aircraft
10 systems; and

11 (3) the risk profile of the transportation of haz-
12 ardous materials by unmanned aircraft systems, tak-
13 ing into consideration the likelihood, if any, that
14 such operations will carry small quantities of haz-
15 ardous materials.

16 (c) CONFORMITY OF HAZARDOUS MATERIALS REGU-
17 LATIONS.—The Secretary shall make such changes as nec-
18 essary to conform the hazardous materials regulations
19 under parts 173 and 175 of title 49, Code of Federal Reg-
20 ulations, to this section. Such changes shall not be re-
21 quired before the Secretary exercises the authority pro-
22 vided for in this section.

23 (d) DEFINITIONS.—In this section:

1 (1) HAZARDOUS MATERIALS.—The term “haz-
2 ardous materials” has the meaning given that term
3 in section 5102 of title 49, United States Code.

4 (2) UNMANNED AIRCRAFT SYSTEM.—The term
5 “unmanned aircraft system” has the meaning given
6 such term in section 44801 of title 49, United
7 States Code.

8 **Subtitle B—Advanced Air Mobility**

9 **SEC. 821. SENSE OF CONGRESS ON FAA LEADERSHIP.**

10 It is the sense of Congress that—

11 (1) the United States should take actions to po-
12 sition itself as a global leader in advanced air mobil-
13 ity; and

14 (2) as such a global leader, the FAA should—

15 (A) prioritize its work on the type certifi-
16 cation of aircraft;

17 (B) publish in line with its stated deadlines
18 rulemakings and policy necessary to enable
19 commercial operations, such as the powered-lift
20 Special Federal Aviation Regulation (SFAR);

21 (C) work with global partners to promote
22 acceptance of advanced air mobility products;
23 and

1 (D) leverage the existing aviation system
2 to the greatest extent possible to support ad-
3 vanced air mobility operations.

4 **SEC. 822. AVIATION RULEMAKING COMMITTEE ON CERTIFI-**
5 **CATION OF POWERED-LIFT AIRCRAFT.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date on which the first special class type certificate for
8 powered-lift aircraft is issued, the Administrator shall es-
9 tablish an Aviation Rulemaking Committee (in this section
10 referred to as the “Committee”) to provide the Adminis-
11 trator with specific findings and recommendations for the
12 creation of a standard certification pathway for the certifi-
13 cation of powered-lift aircraft.

14 (b) REPORT.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date on which the Committee is established
17 under subsection (a), the Committee shall submit to
18 the Administrator a report detailing the findings and
19 recommendations of the Committee.

20 (2) CONSIDERATIONS.—In submitting the re-
21 port under paragraph (1), the Committee shall con-
22 sider the following:

23 (A) Broad, outcome-driven safety objec-
24 tives that will spur innovation and technology

1 adoption and promote the development of per-
2 formance-based regulations.

3 (B) Lessons and insights learned from pre-
4 viously published FAA special conditions and
5 other Federal Register notices of airworthiness
6 certification criteria for powered-lift aircraft.

7 (c) RULEMAKING.—Not later than 90 days after the
8 date on which the Committee submits the report to the
9 Administrator under subsection (b), the Administrator
10 shall initiate a rulemaking to implement the findings and
11 recommendations of the Committee, as determined appro-
12 priate by the Administrator.

13 **SEC. 823. APPLICATION OF NATIONAL ENVIRONMENTAL**
14 **POLICY ACT (NEPA) CATEGORICAL EXCLU-**
15 **SIONS FOR VERTIPOINT PROJECTS.**

16 (a) IN GENERAL.—In considering the environmental
17 impacts of a proposed vertiport project on an existing air-
18 port, the Administrator shall—

19 (1) apply an applicable categorical exclusion in
20 accordance with the National Environmental Policy
21 Act of 1969 (42 U.S.C. 4321 et seq.) and sub-
22 chapter A of chapter V of title 40, Code of Federal
23 Regulations; and

24 (2) after consultation with the Council on Envi-
25 ronmental Quality, take steps to establish categorical

1 exclusions for vertiports on an existing airport, in
2 accordance with the National Environmental Policy
3 Act of 1969 (42 U.S.C. 4321 et seq.) and sub-
4 chapter A of chapter V of title 40, Code of Federal
5 Regulations.

6 (b) DEFINITIONS.—In this section:

7 (1) ADVANCED AIR MOBILITY; AAM.—The terms
8 “‘advanced air mobility’” and “‘AAM’” mean a
9 transportation system that transports people and
10 property by air between two points in the United
11 States using aircraft with advanced technologies, in-
12 cluding electric aircraft or electric vertical take-off
13 and landing aircraft, in both controlled and uncon-
14 trolled airspace.

15 (2) VERTIPOINT.—The term “vertiport” means
16 a designated location used or intended to be used to
17 support advanced air mobility (AAM) operations, in-
18 cluding the landing, take-off, loading, taxiing, park-
19 ing, and storage of aircraft developed for advanced
20 air mobility (AAM) operations.

21 **SEC. 824. ADVANCED AIR MOBILITY WORKING GROUP**
22 **AMENDMENTS.**

23 Section 2(f) of the Advanced Air Mobility Coordina-
24 tion and Leadership Act (49 U.S.C. 40101 note) is
25 amended—

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

3 (2) by redesignating paragraph (2) as para-
4 graph (3);

5 (3) by inserting after paragraph (1) the fol-
6 lowing new paragraph:

7 “(2) recommendations for sharing expertise and
8 data on critical items, including long-term elec-
9 trification requirements and the needs of cities (from
10 a macro-electrification standpoint) to enable the de-
11 ployment of AAM; and”; and

12 (4) in paragraph (3), as redesignated by para-
13 graph (2) of this section, by striking “paragraph
14 (1)” and inserting “paragraphs (1) and (2)”.

15 **SEC. 825. RULES FOR OPERATION OF POWERED-LIFT AIR-**
16 **CRAFT.**

17 (a) **POWERED-LIFT AIRCRAFT DEFINED.**—In this
18 section, the term “powered-lift aircraft” means a heavier-
19 than-air aircraft capable of vertical take-off, vertical land-
20 ing, and low speed flight that depends principally on en-
21 gine-driven lift devices or engine thrust for lift during
22 these flight regimes and on 1 or more nonrotating airfoils
23 for lift during horizontal flight. Such term includes, but
24 is not limited to, electric aircraft capable of vertical take-
25 off and landing (eVTOL).

1 (b) RULEMAKING.—Not later than December 31,
2 2024, the Administrator shall finalize a Powered-Lift Spe-
3 cial Federal Aviation Regulation (SFAR) establishing a
4 procedure for certifying pilots and the operation of pow-
5 ered-lift aircraft capable of transporting passengers and
6 cargo.

7 **SEC. 826. INTERNATIONAL COORDINATION ON POWERED-**
8 **LIFT AIRCRAFT.**

9 (a) POWERED-LIFT AIRCRAFT PLAN.—

10 (1) IN GENERAL.—Not later than 90 days after
11 the date of enactment of this section, the Adminis-
12 trator shall develop a plan to facilitate the ability of
13 the aerospace industry of the United States to effi-
14 ciently operate powered-lift aircraft and export pow-
15 ered-lift products and articles in key markets glob-
16 ally.

17 (2) REQUIREMENTS.—The plan developed
18 under paragraph (1) shall include the following:

19 (A) An assessment of existing bilateral
20 aviation safety agreements, implementation pro-
21 cedures, and other associated bilateral arrange-
22 ments so that current and future powered-lift
23 products and articles can utilize the most ap-
24 propriate validation mechanisms and procedures
25 for powered-lift aircraft, products, and articles.

1 (B) A description of methods to facilitate
2 the efficient, global acceptance of the FAA ap-
3 proach to certification of powered-lift aircraft,
4 products, and articles.

5 (C) Any other information determined ap-
6 propriated by the Administrator.

7 (b) COORDINATION WITH CIVIL AVIATION AUTHORI-
8 TIES.—Not later than 90 days after the plan is developed
9 under subsection (a), the Administrator shall coordinate
10 with international civil aviation authorities in countries
11 that have a bilateral safety agreement and implementation
12 procedure with the United States regarding the establish-
13 ment of mutual processes for efficient validation, accept-
14 ance, and working arrangements of certificates and ap-
15 provals for powered-lift aircraft, products, and articles.

16 (c) ESTABLISHMENT OF PROVISIONS.—Not later
17 than 2 years after the date of enactment of this section,
18 the Administrator shall establish the mutual processes de-
19 scribed in subsection (b).

20 (d) POWERED-LIFT AIRCRAFT DEFINED.—In this
21 section, the term “powered-lift aircraft” means a heavier-
22 than-air aircraft capable of vertical take-off, vertical land-
23 ing, and low speed flight that depends principally on en-
24 gine-driven lift devices or engine thrust for lift during
25 these flight regimes and on 1 or more nonrotating airfoils

1 for lift during horizontal flight. Such term includes, but
2 is not limited to, electric aircraft capable of vertical take-
3 off and landing (eVTOL).

4 **SEC. 827. ADVANCED AIR MOBILITY PROPULSION SYSTEMS**
5 **AVIATION RULEMAKING COMMITTEE.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of enactment of this section, the Administrator shall
8 establish an Aviation Rulemaking Committee (in this sec-
9 tion referred to as the “Committee”) to provide the Ad-
10 ministrator with specific findings and recommendations
11 for regulations covering, with respect to small and large
12 type certificated aircraft, the certification and installation
13 of—

14 (1) electric engines and propellers;

15 (2) hybrid electric engines and propulsion sys-
16 tems;

17 (3) hydrogen fuel cells; and

18 (4) hydrogen combustion engines or propulsion
19 systems.

20 (b) CONSIDERATIONS.—In providing the findings and
21 recommendations under subsection (a), the Committee
22 shall consider the following:

23 (1) Broad, outcome-driven safety objectives that
24 will spur innovation and technology adoption, and

1 promote the development of performance-based regu-
2 lations.

3 (2) Lessons and insights learned from pre-
4 viously published FAA special conditions and other
5 Federal Register notices of airworthiness certifi-
6 cation criteria for advanced air mobility engines,
7 propellers, and aircraft.

8 (3) The requirements of part 33 and part 35 of
9 title 14, Code of Federal Regulations, any bound-
10 aries of applicability for stand alone engine type cer-
11 tificates (including highly integrated systems), and
12 the use of technical standards order authorizations.

13 (c) REPORT.—Not later than 2 years after the date
14 on which the Committee is established under subsection
15 (a), the Committee shall submit to the Administrator and
16 the appropriate committees of Congress a report con-
17 taining the findings and recommendations described in
18 subsection (a).

19 (d) BRIEFING.—Not later than 180 days after the
20 date on which the Committee submits the report under
21 subsection (c), the Administrator shall brief the appro-
22 priate committees of Congress regarding the FAA's plans
23 in response to the findings and recommendations con-
24 tained in the report.

1 (e) SAFETY COOPERATION.—The Administrator shall
2 lead efforts to engage with foreign authorities to further
3 harmonize standards for certification and installation of
4 the products described in paragraphs (1) through (4) of
5 subsection (a).

6 **TITLE IX—RESEARCH AND DE-**
7 **VELOPMENT AND INNOVA-**
8 **TIVE AVIATION TECH-**
9 **NOLOGIES**

10 **SEC. 901. ADVANCED MATERIALS CENTER OF EXCELLENCE**
11 **ENHANCEMENTS.**

12 Section 44518 of title 49, United States Code, is
13 amended—

14 (1) in subsection (a), by striking “under its
15 structure” and all that follows through the period
16 and inserting “through September 30, 2028, under
17 its structure as in effect on March 1, 2023, which
18 shall focus on applied research and training on the
19 safe use of composites and advanced materials in
20 airframe structures. The Center shall also conduct
21 research and development into aircraft structure
22 crash worthiness and passenger safety, as well as
23 address safe and accessible air travel of individuals
24 with a disability (as defined in section 382.3 of title
25 14, Code of Federal Regulations (or any successor

1 regulation)), including materials required to facili-
2 tate safe wheelchair restraint systems on commercial
3 aircraft. The Administrator shall award grants to
4 the Center within 90 days from the date the Grants
5 Officer recommends a proposal for award to the Ad-
6 ministrator.”; and

7 (2) by striking subsection (b) and inserting the
8 following:

9 “(b) RESPONSIBILITIES.—The Center shall—

10 “(1) promote and facilitate collaboration among
11 member universities, academia, the Federal Aviation
12 Administration, the commercial aircraft industry, in-
13 cluding manufacturers, commercial air carriers, and
14 suppliers, and other appropriate stakeholders;

15 “(2) establish goals set to advance technology,
16 improve engineering practices, and facilitate con-
17 tinuing education in relevant areas of study, which
18 should include all structural materials, such as car-
19 bon fiber polymers and thermoplastic composites,
20 and structural technologies, such as additive manu-
21 facturing, to be used in applications within the com-
22 mercial aircraft industry, including traditional fixed-
23 wing aircraft, rotorcraft, and emerging aircraft types
24 such as advanced air mobility aircraft; and

1 “(3) establish criteria for the safe movement of
2 all passengers, including individuals with a disability
3 (as defined in section 382.3 of title 14, Code of Fed-
4 eral Regulations (or any successor regulation)), and
5 individuals using their personal wheelchairs in flight,
6 that takes into account the modeling, engineering,
7 testing, operating, and training issues significant to
8 all passengers and relevant stakeholders.”.

9 **SEC. 902. CENTER OF EXCELLENCE FOR UNMANNED AIR-**
10 **CRAFT SYSTEMS.**

11 (a) IN GENERAL.—Chapter 448 of title 49, United
12 States Code, as amended by section 811(a), is amended
13 by inserting after section 44813 the following new section:

14 **“SEC. 44814. CENTER OF EXCELLENCE FOR UNMANNED**
15 **AIRCRAFT SYSTEMS.**

16 “(a) IN GENERAL.—During the period beginning on
17 the date of enactment of this section, and ending on Sep-
18 tember 30, 2028, the Administrator shall continue oper-
19 ation of the Center of Excellence for Unmanned Aircraft
20 Systems (referred to in this section as the ‘Center’) under
21 the structure of the Center as in effect on January 1,
22 2023.

23 “(b) RESPONSIBILITIES.—The Center shall carry out
24 the following responsibilities:

1 “(1) Conduct applied research and training on
2 the safe and efficient integration of unmanned air-
3 craft systems and advanced air mobility into the na-
4 tional airspace system.

5 “(2) Promote and facilitate collaboration among
6 academia, the FAA, Federal agency partners, and
7 industry stakeholders (including manufacturers, op-
8 erators, service providers, standards development or-
9 ganizations, carriers, and suppliers), with respect to
10 the safe and efficient integration of unmanned air-
11 craft systems and advanced air mobility into the na-
12 tional airspace system.

13 “(3) Establish goals set to advance technology,
14 improve engineering practices, and facilitate con-
15 tinuing education with respect to the safe and effi-
16 cient integration of unmanned aircraft systems and
17 advanced air mobility into the national airspace sys-
18 tem.

19 “(c) PROGRAM PARTICIPATION.—The Administrator
20 shall ensure the participation in the Center of public insti-
21 tutions of higher education and research institutions that
22 provide accredited bachelor’s degree programs in aero-
23 nautical sciences that provide pathways to commercial
24 pilot certifications and focus primarily on supporting pilot
25 training for women aviators.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 448 of title 49, United States Code, as amended by
3 section 811(b), is amended by inserting after the item re-
4 lating to section 44813 the following:

“44814. Center of Excellence for Unmanned Aircraft Systems.”.

5 **SEC. 903. ASSURED SAFE CREDENTIALING AUTHORITY.**

6 (a) IN GENERAL.—Chapter 448 of title 49, United
7 States Code, as amended by section 902(a), is amended
8 by inserting after section 44814 the following new section:

9 **“SEC. 44815. ASSURED SAFE CREDENTIALING AUTHORITY.**

10 “(a) IN GENERAL.—Not later than 6 months after
11 the date of enactment of this section, the Administrator
12 of the Federal Aviation Administration shall establish the
13 credentialing authority for the Administration’s program
14 of record (referred to in this section as ‘ASSUREd Safe’)
15 under the Center of Excellence for Unmanned Aircraft
16 Systems at the Mississippi State University.

17 “(b) PURPOSES.—The ASSUREd Safe credentialing
18 authority established under subsection (a) shall offer serv-
19 ices throughout the United States, and to allies and part-
20 ners of the United States, including—

21 “(1) online and in-person standards, education,
22 and testing to certify first responders’ use of un-
23 manned aircraft systems for public safety and dis-
24 aster operations;

1 “(2) uniform communications standards, oper-
2 ational standards, and reporting standards for civil-
3 ian, military, and international allies and partners;
4 and

5 “(3) any other services determined appropriate
6 by the Administrator of the Federal Aviation Admin-
7 istration.”.

8 (b) CLERICAL AMENDMENT.—The analysis for chap-
9 ter 448 of such title, as amended by section 902(b), is
10 amended by inserting after the item relating to section
11 44814 the following:

 “44815. ASSUREd Safe Credentialing Authority.”.

12 **SEC. 904. FAA AND NASA ADVANCED AVIATION TECH-**
13 **NOLOGIES PILOT PROGRAM.**

14 (a) PILOT PROGRAM.—

15 (1) ESTABLISHMENT.—Not later than 1 year
16 after the date of enactment of this section, the Ad-
17 ministrator, in coordination with the Administrator
18 of the National Aeronautics and Space Administra-
19 tion (in this section referred to as the “NASA Ad-
20 ministrator”), shall establish a pilot program to fa-
21 cilitate the appointment of individuals from NASA
22 to the FAA to serve in temporary technical discipline
23 expert positions relating to advanced aviation tech-
24 nologies (in this section referred to as the “pro-
25 gram”).

1 (2) CONSIDERATIONS.—In developing the pro-
2 gram, the Administrator shall consider—

3 (A) existing mechanisms of collaboration
4 between FAA and NASA relating to aero-
5 nautics programs, advisory committees, and
6 work groups;

7 (B) the degree to which FAA and NASA
8 facilitate partnerships between subject matter
9 experts to support the research and develop-
10 ment, testing, and certification of advanced
11 aviation technologies; and

12 (C) how temporary appointments under
13 the program may be best used to enhance the
14 technical capacity of the FAA and technical
15 partnerships between agencies.

16 (b) TEMPORARY APPOINTMENT OF NASA PER-
17 SONNEL.—

18 (1) TERMS AND CONDITIONS.—The Adminis-
19 trator, in coordination with the NASA Adminis-
20 trator, shall identify qualifying projects or activities
21 at the FAA that would benefit from temporary ap-
22 pointments of highly qualified, experienced profes-
23 sionals under the program to enhance technical ca-
24 pacity, knowledge, skills, and abilities relating to re-
25 search and development, certification, and the safe

1 deployment of advanced aviation technologies. The
2 Administrator and NASA Administrator shall jointly
3 establish the terms and conditions of service under
4 the program and issue relevant guidelines related to
5 the responsibilities and duration of service of partici-
6 pating NASA personnel. In approving NASA per-
7 sonnel for participation in the program, the NASA
8 Administrator shall certify that the temporary ap-
9 pointment of such personnel shall not have an ad-
10 verse impact on the post-assignment employment du-
11 ties of relevant NASA personnel or an undue ad-
12 verse impact on the mission of the agency.

13 (2) SPECIAL RULES.—The Administrator shall
14 make clear that any responsibilities of NASA per-
15 sonnel participating in the program constitute serv-
16 ing in temporary technical discipline expert positions
17 at the FAA and are subject to FAA conflict-of-inter-
18 est policies and supervision.

19 (3) RULES FOR PAY AND BENEFITS FOR NASA
20 PERSONNEL.—Any individuals employed by NASA
21 who are participating in the program shall continue
22 to receive pay and benefits from NASA and shall not
23 receive pay or benefits from the FAA for the dura-
24 tion of the program.

1 (c) **AUTHORITY TO TRANSFER AND RECEIVE RE-**
2 **SOURCES.**—In supporting the participation of NASA per-
3 sonnel, the Administrator and NASA Administrator may
4 authorize the use of NASA technical services, equipment,
5 software, and facilities without reimbursement to facilitate
6 cooperation between agencies under the program.

7 (d) **PROGRAM REVIEW AND REPORT.**—

8 (1) **REVIEW.**—The Comptroller General shall
9 conduct a comprehensive review of the program that
10 includes evaluation of the impact of the program on
11 improving coordination on projects and sharing of
12 technical expertise between agencies relating to ad-
13 vanced aviation technologies.

14 (2) **REPORT.**—Not later than 3 years after the
15 date of enactment of this section, the Comptroller
16 General shall submit to the appropriate committees
17 of Congress a report containing the results of the re-
18 view conducted under paragraph (1), along with rec-
19 ommendations for such future action as the Comp-
20 troller General determines appropriate.

21 **SEC. 905. ADVANCING GLOBAL LEADERSHIP ON CIVIL SU-**
22 **PERSONIC AIRCRAFT.**

23 Section 181 of the FAA Reauthorization Act of 2018
24 (49 U.S.C. 40101 note) is amended—

1 (1) in subsection (a), by striking “regulations,
2 and standards” and inserting “regulations, stand-
3 ards, and recommended practices”; and

4 (2) by adding at the end the following new sub-
5 section:

6 “(g) ADDITIONAL REPORTS.—

7 “(1) INITIAL PROGRESS REPORT.—Not later
8 than 1 years after the date of enactment of this sub-
9 section, the Administrator shall submit to the appro-
10 priate committees of Congress a report describing—

11 “(A) the progress of the actions described
12 in subsection (d)(1);

13 “(B) any planned, proposed, or anticipated
14 action to update or modify existing policies and
15 regulations related to civil supersonic aircraft,
16 including those identified as a result of stake-
17 holder consultation and feedback (such as land-
18 ing and takeoff noise); and

19 “(C) any other information determined ap-
20 propriate by the Administrator.

21 “(2) SUBSEQUENT REPORT.—Not later than 2
22 years after the date on which the Administrator sub-
23 mits the initial progress report under paragraph (1),
24 the Administrator shall submit to the appropriate

1 committees of Congress an updated report on the
2 progress of the actions described in paragraph (1).”.

3 **SEC. 906. CLEEN ENGINE AND AIRFRAME TECHNOLOGY**
4 **PARTNERSHIP.**

5 Section 47511 of title 49, United States Code, is
6 amended—

7 (1) in subsection (a), by striking “subsonic”
8 after “fuels for civil”; and

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

10 “(d) SELECTION.—In carrying out the program, the
11 Administrator may ensure that not less than 2 of the coop-
12 erative agreements entered into under this section involve
13 the participation of an entity that is a small business con-
14 cern (as defined in section 3 of the Small Business Act
15 (15 U.S.C. 632)), provided that the entity’s submitted
16 technology proposal meets requisite technology readiness
17 levels for entry into the agreement as determined by the
18 Administrator.”.

19 **SEC. 907. HYPERSONIC FLIGHT TESTING.**

20 (a) IN GENERAL.—Not later than 2 years after the
21 date of enactment of this section, the Administrator shall
22 establish procedures for permitting manned flights in oce-
23 anic airspace and overland flights operating with speeds
24 in excess of Mach 5 and above for the purposes of develop-
25 mental and airworthiness testing (including demonstration

1 flights in areas where such flights will not interfere with
2 the safety of other aircraft or the efficient use of airspace
3 in the national airspace system).

4 (b) CONSIDERATIONS.—In carrying out subsection
5 (a), the Administrator shall consider—

6 (1) the provisions of parts 91.817 and 91.818
7 of title 14, Code of Federal Regulations;

8 (2) applications for special flight authorizations
9 for flights operating with speeds in excess of Mach
10 5, as described in such part 91.818;

11 (3) the environmental impacts of developmental
12 and airworthiness testing operations;

13 (4) whether to require applicants to include
14 specification of proposed flight areas;

15 (5) the authorization of flights to and from
16 spaceports and airports in Class D airspace within
17 10 nautical miles of oceanic coastline;

18 (6) developing the vertical limits at or above the
19 altitude necessary for safe hypersonic operations;

20 (7) proponent-provided data regarding the de-
21 sign and operational analysis of the aircraft, as well
22 as data regarding sonic boom overpressure; and

23 (8) the safety of the uninvolved public.

24 **SEC. 908. HYPERSONIC PATHWAY TO INTEGRATION STUDY.**

25 (a) STUDY.—

1 (1) IN GENERAL.—The Administrator shall con-
2 duct a study assessing actions necessary to facilitate
3 the safe operation and integration of hypersonic air-
4 craft into the national airspace system.

5 (2) CONTENTS.—The study conducted under
6 paragraph (1) shall include, at a minimum—

7 (A) an initial assessment of cross-agency
8 equities related to hypersonic aircraft tech-
9 nologies and flight;

10 (B) the identification, development, and
11 collection of data required to develop certifi-
12 cation, flight standards, and air traffic require-
13 ments for the deployment and integration of
14 hypersonic aircraft;

15 (C) the development of a framework and
16 timeline to establish the appropriate regulatory
17 requirements for conducting hypersonic aircraft
18 flights;

19 (D) strategic plans to improve the FAA’s
20 state of preparedness and response capability in
21 advance of receiving applications to conduct
22 hypersonic aircraft flights; and

23 (E) a survey of global hypersonic aircraft-
24 related regulatory and testing developments or
25 activities.

1 (3) CONSIDERATIONS.—In conducting the study
2 under paragraph (1), the Administrator may con-
3 sider—

4 (A) the feedback and technical expertise of
5 the aerospace industry and other stakeholders
6 when creating policies, regulations, and stand-
7 ards that enable the safe operation and integra-
8 tion of hypersonic aircraft into the national air-
9 space system;

10 (B) opportunities for—

11 (i) demonstrating United States global
12 leadership in aeronautics, including
13 hypersonic aircraft and related tech-
14 nologies; and

15 (ii) strengthening global harmoni-
16 zation in aeronautics; and

17 (C) the development of international poli-
18 cies, regulations, and standards relating to the
19 certification and safe operation of hypersonic
20 aircraft.

21 (4) CONSULTATION.—In conducting the study
22 under paragraph (1), the Administrator shall consult
23 with representatives from Federal agencies, industry,
24 and other stakeholders, including—

- 1 (A) the National Aeronautics and Space
2 Administration;
- 3 (B) the Department of Defense;
- 4 (C) aircraft manufacturers;
- 5 (D) institutions of higher education; and
- 6 (E) any other stakeholders the Adminis-
7 trator determines appropriate.

8 (b) REPORT.—Not later than 2 years after the date
9 of enactment of this Act, the Administrator shall submit
10 to the appropriate committees of Congress a report on the
11 results of the study conducted under subsection (a), to-
12 gether with recommendations to facilitate the safe oper-
13 ation and integration of hypersonic aircraft into the na-
14 tional airspace system.

15 (c) DEFINITION OF HYPERSONIC.—In this section,
16 the term “hypersonic” means an aircraft or flight oper-
17 ating at speeds in excess of Mach 5 and above.

18 **SEC. 909. OPERATING HIGH-SPEED FLIGHTS IN HIGH ALTI-
19 TUDE CLASS E AIRSPACE.**

20 (a) CONSULTATION.—Not later than 12 months after
21 the date of enactment of this section, the Administrator,
22 in consultation with the Administrator of the National
23 Aeronautics and Space Administration and relevant stake-
24 holders, including industry and academia, shall identify
25 the minimum altitude above the upper boundary of Class

1 A airspace at or above which flights operating with speeds
2 above Mach 1 generate sonic booms that are inaudible at
3 the surface under prevailing atmospheric conditions.

4 (b) RULEMAKING.—Not later than 2 years after the
5 date on which the Administrator identifies the minimum
6 altitude described in subsection (a), the Administrator
7 shall publish in the Federal Register a notice of proposed
8 rulemaking to amend sections 91.817 and 91.818 of title
9 14, Code of Federal Regulations, and such other regula-
10 tions as appropriate, to permit flight operations with
11 speeds above Mach 1 at or above the minimum altitude
12 identified under subsection (a) without specific authoriza-
13 tions, provided that such flight operations—

14 (1) show compliance with airworthiness require-
15 ments;

16 (2) do not cause a measurable sonic boom over-
17 pressure to reach the surface; and

18 (3) have ordinary instrument flight rules clear-
19 ances necessary to operate in controlled airspace.

20 **SEC. 910. ELECTRIC PROPULSION AIRCRAFT OPERATIONS**
21 **STUDY.**

22 (a) IN GENERAL.—Not later than 120 days after the
23 date of enactment of this section, the Comptroller General
24 shall initiate a study assessing the safe and scalable oper-

1 ation and integration of electric aircraft into the national
2 airspace system.

3 (b) CONTENTS.—The study required under sub-
4 section (a) shall address—

5 (1) the technical capacity and competencies
6 needed for the FAA to certify aircraft systems spe-
7 cific to electric aircraft;

8 (2) the data development and collection re-
9 quired to develop standards specific to electric air-
10 craft;

11 (3) the regulatory standards and guidance ma-
12 terial needed to facilitate the safe operation of elec-
13 tric aircraft, including—

14 (A) fire protection;

15 (B) high voltage electromagnetic environ-
16 ments;

17 (C) engine and human machine interfaces;

18 (D) reliability of high voltage components
19 and insulation;

20 (E) lithium batteries for propulsion use;

21 (F) operating and pilot qualifications; and

22 (G) airspace integration;

23 (4) the airport infrastructure requirements to
24 support electric aircraft operations, including an as-
25 sessment of—

1 (A) existing capabilities of airport infra-
2 structure as of the date of enactment of this
3 section;

4 (B) aircraft operations specifications;

5 (C) projected operations demand by car-
6 riers and other operators;

7 (D) potential modifications to existing air-
8 port infrastructure;

9 (E) additional investments in new infra-
10 structure and systems required to meet oper-
11 ations demand; and

12 (F) management of infrastructure relating
13 to hazardous materials used in hybrid and elec-
14 tric propulsion; and

15 (5) varying types of electric aircraft, including
16 advanced air mobility aircraft and small or regional
17 passenger or cargo aircraft.

18 (c) CONSIDERATIONS.—In conducting the study
19 under subsection (a), the Comptroller General may con-
20 sider the following:

21 (1) The potential for improvements to air serv-
22 ice connectivity for communities through the deploy-
23 ment of electric aircraft operations, including by—

24 (A) establishing routes to small and rural
25 communities; and

1 (B) introducing alternative modes of trans-
2 portation for multimodal operations within com-
3 munities.

4 (2) Impacts to airport-adjacent communities,
5 including implications due to changes in airspace
6 utilization and land use compatibility.

7 (d) REPORT TO CONGRESS.—Not later than 2 years
8 after the date of enactment of this section, the Comp-
9 troller General shall submit to the appropriate committees
10 of Congress a report on the results of the study conducted
11 under subsection (a), together with recommendations for
12 such legislation and administrative action as the Comp-
13 troller General determines appropriate.

14 (e) DEFINITIONS.—In this section:

15 (1) ELECTRIC AIRCRAFT.—The term “electric
16 aircraft” means an aircraft with a fully electric or
17 hybrid electric driven propulsion system used for
18 flight.

19 (2) ADVANCED AIR MOBILITY.—The term “ad-
20 vanced air mobility” means a transportation system
21 that transports passengers and cargo by air between
22 two points in the United States using aircraft with
23 advanced technologies, including aircraft with hybrid
24 or electric vertical take-off and landing capabilities,
25 in both controlled and uncontrolled airspace.

1 **SEC. 911. CONTRACT WEATHER OBSERVERS PROGRAM.**

2 Section 2306 of the FAA Extension, Safety, and Se-
3 curity Act of 2016 (P.L. 114–190; 130 Stat. 641) is
4 amended by striking subsection (b) and inserting the fol-
5 lowing:

6 “(b) CONTINUED USE OF CONTRACT WEATHER OB-
7 SERVERS.—

8 “(1) IN GENERAL.—Subject to paragraph (2),
9 the Administrator may not discontinue or diminish
10 the contract weather observer program at any air-
11 port until September 30, 2028.

12 “(2) AVAILABILITY OF NEW TECHNOLOGY.—If
13 the Administrator determines that technology has
14 become available that could provide equal or better
15 service than the contract weather observer program,
16 the Administrator may discontinue or diminish the
17 contract weather observer program at any airport
18 earlier than the date specified in paragraph (1), but
19 only if, not later than 180 days before the date on
20 which the Administrator proposes to discontinue or
21 diminish such program at any airport, the Adminis-
22 trator notifies the appropriate committees of Con-
23 gress of such proposed action and submits informa-
24 tion relating to the determination of the availability
25 of such technology and the reasoning for such pro-
26 posed action.”.

1 **SEC. 912. AIRFIELD PAVEMENT TECHNOLOGY PROGRAM.**

2 Using amounts made available under section
3 48102(a) of title 49, United States Code, the Secretary
4 may carry out a program for the research and develop-
5 ment of airfield pavement technologies under which the
6 Secretary makes grants to, and enters into cooperative
7 agreements with, institutions of higher education (as de-
8 fined in section 101 of the Higher Education Act of 1965
9 (20 U.S.C. 1001)) and nonprofit organizations that—

10 (1) research concrete and asphalt pavement
11 technologies that extend the life of airfield pave-
12 ments;

13 (2) develop sustainability and resiliency guide-
14 lines to improve long-term pavement performance;

15 (3) develop and conduct training with respect to
16 such airfield pavement technologies;

17 (4) provide for demonstration projects of such
18 airfield pavement technologies; and

19 (5) promote the latest airfield pavement tech-
20 nologies to aid the development of safer, more cost
21 effective, and more resilient and sustainable airfield
22 pavements.

23 **SEC. 913. NATIONAL AVIATION RESEARCH PLAN MODIFICA-**
24 **TION.**

25 (a) MODIFICATION OF SUBMISSION DEADLINE.—
26 Section 44501(c)(1) of title 49, United States Code, is

1 amended by striking “the date of submission” and insert-
2 ing “the date that is 45 days after the date of submis-
3 sion”.

4 (b) CONFORMING AMENDMENT.—Section 48102(g)
5 of title 49, United States Code, is amended by striking
6 “the date of submission” and inserting “the date that is
7 45 days after the date of submission”.

8 **SEC. 914. FAA AND NASA RESEARCH AND DEVELOPMENT**
9 **COORDINATION REVIEW.**

10 (a) REVIEW.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this section, the Adminis-
13 trator, in coordination with the Administrator of the
14 National Aeronautics and Space Administration (in
15 this section referred to as “NASA”) shall conduct a
16 review of aeronautics research and development co-
17 ordination between Federal agencies and the extent
18 to which NASA and the FAA can improve collabora-
19 tion in order to leverage each other’s subject matter
20 expertise relating to civil aviation projects.

21 (2) CONTENTS.—In carrying out the review
22 under paragraph (1), the Administrator shall—

23 (A) review the extent to which NASA and
24 the FAA leverage each other’s laboratory and
25 testing capabilities, facilities, resources, and

1 subject matter expert personnel in support of
2 aeronautics research and development programs
3 and projects;

4 (B) assess—

5 (i) the current fiscal year, and the 3
6 most recent fiscal years, of Federal ex-
7 penditures for the FAA and NASA's re-
8 search and development programs and
9 projects; and

10 (ii) the extent to which other Federal
11 agencies, industry partners, and research
12 organizations are involved in such pro-
13 grams and projects; and

14 (C) develop recommendations for the im-
15 provement of coordination, collaboration, and
16 efficiency of aeronautics research and develop-
17 ment programs to reduce overlap between
18 NASA, the FAA, other Federal agencies, aca-
19 demia, research organizations, standards
20 groups, and industry.

21 (b) REPORT.—Not later than 180 days after com-
22 pleting the review under subsection (a), the Administrator
23 shall submit to the appropriate committees of Congress
24 a report on such review, including the recommendations
25 developed under subsection (a)(2)(C).

1 **SEC. 915. RESEARCH AND DEVELOPMENT OF FAA'S AERO-**
2 **NAUTICAL INFORMATION SYSTEMS MOD-**
3 **ERNIZATION ACTIVITIES.**

4 (a) IN GENERAL.—Not later than 60 days after the
5 date of enactment of this section, the Administrator, in
6 coordination with the John A. Volpe National Transpor-
7 tation Systems Center, shall carry out a research and de-
8 velopment program to assist with the continuous mod-
9 ernization of the FAA's aeronautical information systems,
10 including, but not limited to—

11 (1) the Aeronautical Information Management
12 Modernization (AIMM), including the FAA's Notice
13 to Air Missions (NOTAM) system;

14 (2) the Aviation Safety Information Analysis
15 and Sharing (ASIAS) system; and

16 (3) the Service Difficulty Reporting System
17 (SDRS).

18 (b) REVIEW AND REPORT.—

19 (1) REVIEW.—Not later than 180 days after
20 the date of enactment of this section, the Adminis-
21 trator shall enter into an agreement with a Federally
22 funded research and development center to conduct
23 and complete a review of planned and ongoing mod-
24 ernization efforts of FAA's aeronautical information
25 systems. Such review shall identify opportunities for
26 additional coordination between the FAA and the

1 John A. Volpe National Transportation Systems
2 Center to further modernize such systems.

3 (2) REPORT.—Not later than 1 year after the
4 Administrator enters into the agreement with the
5 center under paragraph (1), the Center shall submit
6 to the Administrator and the appropriate committees
7 of Congress a report on the review conducted under
8 paragraph (1), together with such recommendations
9 as the Center determines appropriate.

10 **SEC. 916. CENTER OF EXCELLENCE FOR ALTERNATIVE JET**
11 **FUELS AND ENVIRONMENT.**

12 (a) IN GENERAL.—Chapter 445 of title 49, United
13 States Code, is amended by adding at the end the fol-
14 lowing new section:

15 **“§ 44520. Center of Excellence for Alternative Jet**
16 **Fuels and Environment**

17 “(a) IN GENERAL.—During the period beginning on
18 the date of enactment of this section and ending on Sep-
19 tember 30, 2028, the Administrator of the Federal Avia-
20 tion Administration (in this section referred to as the ‘Ad-
21 ministrator’) shall continue operation of the Center of Ex-
22 cellence for Alternative Jet Fuels and Environment (in
23 this section referred to as the ‘Center’) under its structure
24 as in effect on January 1, 2023.

25 “(b) RESPONSIBILITIES.—The Center shall—

1 “(1) focus on research to—

2 “(A) assist in the development, qualifica-
3 tion, and certification of the use of aviation fuel
4 from alternative and renewable sources (such as
5 biomass, alcohols, organic acids, hydrogen, and
6 gaseous carbon) for commercial aircraft;

7 “(B) assist in informing the safe use of al-
8 ternative aviation fuels in commercial aircraft
9 that also apply electrified aircraft propulsion
10 systems;

11 “(C) reduce community exposure to civilian
12 aircraft noise and pollutant emissions;

13 “(D) inform decision making to support
14 United States leadership on international avia-
15 tion environmental issues, including the devel-
16 opment of domestic and international stand-
17 ards; and

18 “(E) improve and expand the scientific un-
19 derstanding of civil aviation noise and pollutant
20 emissions and their impacts, as well as support
21 the development of improved modeling ap-
22 proaches and tools; and

23 “(2) examine the use of novel technologies and
24 other forms of innovation to reduce noise, emissions,
25 and fuel burn in commercial aircraft.

1 “(c) GRANT AUTHORITY.—The Administrator shall
2 carry out the work of the Center through the use of grants
3 or other measures as determined appropriate by the Ad-
4 ministrator pursuant to section 44513, including through
5 interagency agreements with other Federal agencies.

6 “(d) PARTICIPATION.—

7 “(1) PARTICIPATION OF EDUCATIONAL AND RE-
8 SEARCH INSTITUTIONS.—In carrying out the respon-
9 sibilities described in subsection (b), the Center shall
10 include, as appropriate, participation by—

11 “(A) higher education and research institu-
12 tions that—

13 “(i) have existing facilities for re-
14 search, development, and testing; and

15 “(ii) leverage private sector partner-
16 ships;

17 “(B) other Federal agencies;

18 “(C) consortia with experience across the
19 alternative fuels supply chain, including with re-
20 search, feedstock development and production,
21 small-scale development, testing, and technology
22 evaluation related to the creation, processing,
23 production, and transportation of alternative
24 aviation fuel; and

1 “(D) consortia with experience in innova-
2 tive technologies to reduce noise, emissions, and
3 fuel burn in commercial aircraft.

4 “(2) USE OF NASA FACILITIES.—The Center
5 shall consider utilizing the existing capacity in aero-
6 nautics research at the Langley Research Center,
7 NASA John H. Glenn Center at the Neil A. Arm-
8 strong Test Facility, and other appropriate facilities
9 of the National Aeronautics and Space Administra-
10 tion.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 445 of such title is amended by inserting after the
13 item relating to section 44519 the following:

 “44520. Center of Excellence for Alternative Jet Fuels and Environment.”.

14 **SEC. 917. AIRCRAFT NOISE ADVISORY COMMITTEE.**

15 (a) ESTABLISHMENT.—Not later than 180 days after
16 the date of enactment of this section, the Administrator
17 shall establish an Aircraft Noise Advisory Committee (in
18 this section referred to as the “Advisory Committee”) to
19 advise the Administrator on issues facing the aviation
20 community that are related to aircraft noise exposure and
21 existing FAA noise policies and regulations.

22 (b) MEMBERSHIP.—The Administrator shall appoint
23 the members of the Advisory Committee, which shall be
24 comprised of—

25 (1) at least 1 representative of each of—

- 1 (A) engine manufacturers;
- 2 (B) air carriers;
- 3 (C) airport owners or operators;
- 4 (D) aircraft manufacturers;
- 5 (E) advanced air mobility manufacturers
- 6 or operators;
- 7 (F) institutions of higher education; and
- 8 (G) the National Aeronautics and Space
- 9 Administration; and

10 (2) representatives of airport-adjacent commu-
11 nities from geographically diverse regions.

12 (c) DUTIES.—The duties of the Advisory Committee
13 shall include—

14 (1) the evaluation of existing research on air-
15 craft noise impacts and annoyance;

16 (2) the assessment of alternative noise metrics
17 that could be used to supplement or replace the ex-
18 isting Day Night Level (DNL) standard;

19 (3) the evaluation of the current 65-decibel ex-
20 posure threshold, including the impact to land use
21 compatibility around airports if such threshold was
22 lowered;

23 (4) the evaluation of current noise mitigation
24 strategies and the community engagement efforts by
25 the FAA with respect to changes in airspace utiliza-

1 tion, such as the integration of new entrants and
2 usage of performance-based navigation; and

3 (5) other duties determined appropriate by the
4 Administrator.

5 (d) REPORTS.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of establishment of the Advisory Com-
8 mittee, the Advisory Committee shall submit to the
9 Administrator a report on any recommended
10 changes to current aviation noise policies.

11 (2) REPORT TO CONGRESS.—Not later than
12 180 days after the date the Administrator receives
13 the report under paragraph (1), the Administrator
14 shall submit to the appropriate committees of Con-
15 gress a report containing the recommendations made
16 by the Advisory Committee.

17 (e) CONGRESSIONAL BRIEFING.—Not later than 30
18 days after submission of the report under paragraph (2),
19 the Administrator shall brief the appropriate committees
20 of Congress on how the Administrator plans to implement
21 recommendations contained in the report and, for each
22 recommendation that the Administrator does not plan to
23 implement, the Administrator's reason for not imple-
24 menting the recommendation.

1 **TITLE X—MISCELLANEOUS**

2 **SEC. 1001. NOISE MITIGATION.**

3 (a) REQUIREMENTS FOR LANDING AND DEPARTING
4 AIRCRAFT.—

5 (1) LANDING AIRCRAFT.—All aircraft landing
6 at Boise Airport (BOI) that will be facing west on
7 the runway when landing on runways 10R and 10L
8 shall travel over a circle on the ground (the center
9 of which is located at 43°37'45.3" N, 116°24'49.3"
10 W, and the radius of which is 2 miles) at an altitude
11 of not less than 5,000 feet when passing over such
12 circle. All aircraft approaching from the west shall
13 fly a straight vector from the above described circle
14 to the Boise Airport (BOI) runway on which it is
15 landing.

16 (2) DEPARTING AIRCRAFT.—All aircraft depart-
17 ing the Boise Airport (BOI) to the west on runways
18 28R and 28L shall travel over the circle described
19 in paragraph (1) and in such a manner as the air-
20 craft is at least 5,000 feet in altitude as it passes
21 over the circle. All aircraft departing the Boise Air-
22 port (BOI) to the west shall fly a straight vector
23 from the Boise Airport (BOI) runway the aircraft is
24 leaving, to the such circle and only after leaving the
25 circle shall the aircraft change vectors.

1 (b) **APPLICABILITY.**—Subject to subsection (c), this
2 requirement shall apply to and regulate all entities and
3 persons including, but not limited to the FAA, FAA Em-
4 ployees and their contractors and agents, all branches of
5 the United States Military, air traffic controllers, pilots,
6 co-pilots, and all other persons and entities directing or
7 controlling any aircraft landing at or departing Boise Air-
8 port (BOI) in Boise, Idaho. This requirement shall only
9 apply to commercial aviation, military aviation, and gen-
10 eral aviation aircraft that weigh 12,500 pounds of max-
11 imum takeoff weight or more.

12 (c) **EXCEPTION.**—This regulation shall not apply
13 during a bono fide safety emergency applicable to a single
14 flight.

15 (d) **ENFORCEMENT.**—A violation of this section shall
16 be a misdemeanor and violators shall be liable for civil
17 damages.

18 **TITLE XI—TECHNICAL**
19 **CORRECTIONS**

20 **SEC. 1101. TECHNICAL CORRECTIONS.**

21 (a) **DISPOSAL OF PROPERTY.**—Section 40110(c)(4)
22 of title 49, United States Code, is amended by striking
23 “subsection (a)(2)” and inserting “subsection (a)(3)”.

1 (b) CIVIL PENALTY.—Section 44704(f) of title 49,
2 United States Code, is amended by striking “subsection
3 (a)(6)” and inserting “subsection (d)(3)”.

4 (c) SUNSET OF RULE.—Section 44729 of title 49,
5 United States Code, is amended—

6 (1) by striking subsection (d); and

7 (2) by redesignating subsections (e) through (h)
8 as (d) through (g), respectively.

9 (d) PUBLIC DISCLOSURE OF INFORMATION.—Section
10 44735 of title 49, United States Code, is amended—

11 (1) in subsection (a)—

12 (A) in the matter preceding paragraph (1),
13 by inserting “, nor by any agency receiving in-
14 formation from the Administrator,” after “Fed-
15 eral Aviation Administration”; and

16 (B) in paragraph (2), by inserting “or for
17 any other purpose regarding the development
18 and implementation of a safety management
19 system acceptable to the Administrator” before
20 the period at the end; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(d) APPLICABILITY TO THE NATIONAL TRANSPOR-
24 TATION SAFETY BOARD.—This section shall not be con-
25 strued to limit the National Transportation Safety

1 Board's accident or incident investigation authority under
2 chapter 11 of this title, including the requirement to not
3 disclose voluntarily provided safety-related information
4 under section 1114.”.