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Bipartisan, Bicameral FAA Reauthorization Act Heads to Senate Floor (<https://www.commerce.senate.gov/2024/4/bipartisan-bicameral-faa-reauthorization-act-heads-to-senate-floor>)

April 29, 2024

Legislation includes Cantwell priorities to strengthen aviation safety, protect consumers, boost aviation workforce, modernize nation's airports, advance innovative technology

Following months of negotiations between Senate Commerce Committee Chair Maria Cantwell (D-Wash.) and Ranking Member Ted Cruz (R-Texas), and House Transportation and Infrastructure Committee Chair Sam Graves (R-Mo.) and Ranking Member Rick Larsen (D-Wash.) an agreement has been reached on a final bill to reauthorize the Federal Aviation Administration (FAA) and the NTSB for five years. The legislation prioritizes investments to strengthen aviation safety standards, enhance consumer protections, advance technology and innovation, and build a modern, well-trained, safety-centric workforce.

"By getting a five-year reauthorization agreement for both FAA and NTSB,

Congress is showing that aviation safety and stronger consumer standards are a big priority," **said Senator Cantwell**. "More FAA safety inspectors, mandates on near miss technology and 25-hour cockpit voice recorders, and FAA upgrades to its systems ensure the gold standard in safety. It is also the first major upgrade to air traffic controller hiring in decades. Plus, it sets into law for the first time the right to a refund when flights have been cancelled or delayed more than three hours."

The FAA Reauthorization Act of 2024

View the bill text (<https://www.commerce.senate.gov/services/files/070A7E5D-A95A-42D8-99D2-60DEA347EE32>).

Read the section-by-section (<https://www.commerce.senate.gov/services/files/E4B4E5F6-AA83-4F9E-B21C-0F03F95F5FE0>)

Authorizes more than \$105 billion in appropriations for the Federal Aviation Administration for fiscal years 2024 through 2028:

- \$66.7 billion for FAA operations to fund key safety programs, from aircraft certification reform to air carrier oversight, and enable hiring, training and retention of safety-critical staff like air traffic controllers and technical engineers.
- \$17.8 billion for FAA facilities and equipment to fund modernization of key technologies and systems to ensure the resilience and development of the world's most complex airspace system.
- \$19.35 billion for FAA airport infrastructure improvement grants to support more than 3,300 airports nationwide in meeting increasing demand and integration of emerging technologies.
- \$1.59 billion for FAA research, engineering and development to help America keep competitive in the global race for innovative and sustainable aerospace technology.

Authorizes \$738 million in appropriations for the National Transportation Safety Board (NTSB) for fiscal years 2024 through 2028.

Improving Aviation Safety

- **Mandates 25-Hour Cockpit Voice Recording Technologies:** The bill requires commercial airplanes, including those newly manufactured, to be equipped with 25-hour cockpit recording devices to preserve critical data and inform future safety reforms consistent with NTSB recommendations.
- **Reduces Runway “Close Calls”:** This bill requires FAA to deploy the latest airport surface situational awareness technologies that track runway aircraft and vehicle movements to prevent collisions, evaluate runway safety technologies, and increase deployment of Airport Surface Detection Equipment (ASDE-X) at airports.
- **Enhances Aircraft Certification Reforms:** This bill builds upon the Aircraft Certification, Safety and Accountability Act of 2020 (ACSAA) with new transparency, oversight and accountability requirements to promote full compliance with FAA safety standards for designing and manufacturing aircraft.
- **Raises International Safety Bar for Airline Operations:** The bill codifies, for the first time, U.S. safety requirements for foreign countries whose carriers seek to service the U.S.
- **Strengthens the FAA’s Oversight of Foreign Repair Stations:** The bill mandates increased scrutiny of foreign maintenance and repair stations working on U.S. aircraft to ensure one level of safety and support for U.S.-certified aircraft mechanics.
- **Builds FAA Global Aviation Safety Leadership:** The bill renews the FAA’s engagement with the International Civil Aviation Organization (ICAO) and bilateral partners to ensure the U.S. leads global aviation safety innovation.
- **Protects Against Cyber Security Threats to Aircraft:** The bill helps protect aircraft electronics, including piloting control, against cyber security threats through new FAA requirements and review of the FAA’s current strategic framework for aviation security.
- **Updates Air Tour and Helicopter Safety Requirements:** Responding to NTSB recommendations, the bill requires stronger safety requirements for commercial air tours and helicopter operations through increased FAA oversight, equipment upgrades and flight data monitoring.
- **Tracks High-Altitude Balloons:** The bill requires the FAA to establish a new system and requirements for continuous aircraft tracking, including the altitude, location and identity of high-altitude balloons.

- **Improves Cabin Air Quality:** The bill requires the FAA to further evaluate cabin air quality, establish a new method for reporting fume and smoke events for crewmembers, and take action to address any relevant safety risks.
- **Ensures FAA Response to SDRs:** The bill requires FAA to be responsive to Service Difficulty Reports (SDR) submitted by airlines, including determining SDR causes, acting to address the causes, and initiating enforcement action in response to violations of federal aviation regulations.

Growing and Supporting the Aviation Workforce

- **Addresses Air Traffic Controller (ATC) Shortages:** With a shortage of approximately 3,000 air traffic controllers nationwide, the bill requires that FAA implement improved staffing standards developed with the labor workforce to close staffing gaps. The bill also requires FAA to set maximum hiring targets to increase air traffic controller staffing.
- **Improves Access to Quality ATC Controller Training:** The bill increases access to high quality advanced training with deployment of more high fidelity tower simulation systems in FAA air traffic control towers. These systems have been proven to reduce the training backlog and time it takes for controllers to reach certification by 27%.
- **Updates FAA Staffing Model to Hire More Safety Inspectors:** The bill requires FAA to update its aviation safety inspector model for a more accurate assessment of the number needed to perform safety oversight, and to use it to boost hiring of manufacturing safety inspectors, engineers and technical specialists per year.
- **Builds the Aviation Pipeline, Improve Workforce Recruitment and Education:** The bill expands the Aviation Workforce Development Grant Program and increases funding to \$60 million per year through FY 2028 to grow the aviation workforce pipeline through the education and recruitment of pilots, unmanned aircraft systems operators, maintenance technicians, aerospace engineers, and aircraft manufacturing technical workers.
- **Jumpstarts Hiring for the FAA Safety Workforce:** The bill requires the FAA to better leverage its direct hire authority to fill key safety positions related

to aircraft certification and address gaps in FAA's safety workforce.

- **Streamlines Job Pathways for Veterans:** The bill streamlines the transition for military servicemembers to civil aviation maintenance careers by requiring the creation of a new military mechanic competency test, and increases FAA outreach and engagement on pathways to attain civilian mechanic certs. The aviation industry captures less than 10% of military aviation maintenance technicians.
- **Grows Veteran Pilot Pool:** The bill establishes a competitive grant program at DOT to enable eligible flight training schools to recruit and train veterans, who are not already military aviators, to become commercial pilots and certified flight instructors. By covering costs beyond existing veteran education benefits, the measure will help grow the supply of qualified pilots to provide air service to rural communities.
- **Supports Women in Aviation:** Currently, less than 10% of licensed pilots are women and less than 3% are airline captains. The bill establishes a new Women in Aviation Advisory Committee at DOT, satisfying the Women in Aviation Advisory Board's chief recommendation to focus on bringing more women into aviation careers and the entire industry.
- **Improves Flight Attendant Self-Defense Training:** The bill enhances basic and advanced self-defense training for flight attendants to better protect themselves and respond to unruly passenger incidents and other threats.
- **Improves FAA's Aeromedical System and Approach to Mental Health:** The legislation establishes the Aeromedical Innovation and Modernization Working Group to modernize FAA's evaluation of and approach to mental health and other conditions. The bill also improves the FAA's ability to issue special medical approvals to address backlogs and get healthy pilots safely back to work.

Improving Consumer Protections and Standards for A Better Flying Experience

- **Sets Clear Right to Refunds:** For the first time, passengers will have clear standards in law for refunds when an airline cancels or significantly delays a flight. A refund will be required if a domestic flight is delayed 3-hours and if an international flight is delayed 6-hours. Airlines will be required to display easy-to-find refund request buttons on their websites.

- **Sets Minimum Standards for Airline Credits:** When airlines offer credits or in lieu of a refund, credits must be good for at least 5 years—so they don't expire before they can be used.
- **Strengthens the Office of Aviation Consumer Protection:** The bill authorizes, for the first time, the DOT's Office of Aviation Consumer Protection to be led by a senate-confirmed assistant secretary to ensure that there is an active, politically accountable cop on the beat advocating for consumers. The bill authorizes \$70 million over five years for this new office.
- **Requires Fee-Free Family Seating:** The bill prohibits airlines from charging fees for families to sit together. Working families shouldn't have to be burdened by fees just so their young child isn't seated next to a stranger.
- **Triplies Civil Penalties for Violations:** To hold airlines accountable, the bill doubles the DOT's statutory civil penalty for consumer violations from \$25,000 per violation to \$75,000.
- **Improves Communication with Consumers When Things Go Wrong:** During Southwest's system meltdown, the airline failed to communicate with passengers stranded at airports. Some airlines dropped their call centers altogether or charge fees to speak to live agents on the phone. The bill requires airlines to provide free, 24/7 access to customer service agents by phone, live chat or text message.
- **Makes Airline Passenger Service Standards Comparison Dashboard Permanent:** The bill requires DOT to permanently operate an online dashboard comparing information about airline family seating policies and consumer redress in the event of a delay or cancellation where the airline is at fault. And DOT must create a dashboard that shows consumers the minimum seat sizes for each U.S. airline.
- **Sets Reimbursement Policy for Incurred Costs:** Airlines must establish policies regarding reimbursement for lodging, transportation between lodging and the airport, and meal costs incurred due to a flight cancellation or significant delay directly attributable to the air carrier.

Improving Aircraft Accessibility

- **Improves Evacuation Standards:** The FAA's current standards require that passengers—regardless of age or ability—be able to evacuate aircraft

within 90 seconds. The bill requires the FAA to study aircraft evacuation and an expert panel to evaluate gaps in current standards and procedures and make recommendations. The FAA must initiate a rulemaking on recommendations the FAA Administrator deems appropriate.

- **Extends the Disabilities Advisory Committee:** The bill extends the Disabilities Advisory Committee through 2028, which oversees the air travel needs of passengers with disabilities and makes recommendations to the FAA.
- **Prevents Damage to Wheelchairs:** The bill requires training for airline personnel on safely storing wheelchairs and scooters to avoid leaving flyers with disabilities with damaged or broken mobile assistance.
- **Accommodates Seating Requests for Passengers With Disabilities:** The bill allows passengers with disabilities to request seating to accommodate disability-related needs, such as being close to a restroom, being seated with a companion or assistant or providing more legroom.
- **Offers Onboard Wheelchair Requests:** This bill ensures customers know they can reserve onboard wheelchairs.
- **Strengthens Protections for Passengers With Disabilities:** The bill strengthens Air Carrier Access Act enforcement protections for passengers with disabilities by ensuring airplanes are designed to accommodate people with disabilities and airlines meet accessibility standards.
- **Improves Airport Accessibility:** The bill creates a new FAA pilot program to award grants to upgrade the accessibility of commercial service airports for people with disabilities.

Expanding Air Travel Service to More of America and Upgrading Airports

- **Ensures Rural America's Access to Air Travel:** The bill strengthens the Essential Air Service (EAS) program and increases funding by over 111% per year to ensure small and rural communities remain connected to the National Airspace System and are not subject to a cost share. Scheduled air service is a critical economic driver and the EAS program benefits approximately 60 communities in Alaska and 115 communities in the lower 48 states.
- **Protects Service to Small Airports:** The bill incentivizes airlines to honor

their EAS contracts by giving DOT the ability to penalize airlines that seek to abandon EAS communities and make it harder for airlines to terminate contracts that could leave communities without air service.

- **Brings New Air Service to Small Airports:** The bill increases funding for Small Community Air Service Development (SCASD) grants by 50% to \$15 million per year to help small communities attract new air service to their small airports.
- **Rebuilds Airports, Terminals and Runways:** The bill boosts Airport Improvement Program (AIP) funding from \$3.35 billion per-year to \$4.0 billion per-year beginning in FY25 to continue modernizing airport infrastructure as outlined in the Bipartisan Infrastructure Law.
- **Supports Small Airports with Modern Infrastructure and Technology:** The bill ensures small airports are not left behind and the needs of small communities and rural airports are met through stable AIP funding and reduced local share requirements.
- **Disposes of Harmful Airport Firefighting Chemicals:** The bill establishes a new grant program to help airports dispose of PFAS, harmful forever chemicals used in firefighting foam, and replace them with safer solutions for firefighters.

Modernizing the National Airspace System and Leading Global Aviation Innovation

- **Modernizes FAA Systems:** The bill requires the FAA to complete the last stage of NextGen by December 31, 2025, and upgrade the National Airspace System with the latest software and infrastructure.
- **Plans for Future Airspace Technology:** The bill provides the FAA with resources and direction to complete the next stage of airspace modernization by deploying new air traffic management and surveillance technologies and incorporating the lessons learned from previous modernization efforts.
- **Facilitates Commercial Use of Drones and Unmanned Aircraft:** The bill directs the FAA to establish a pathway for beyond visual line-of-sight operations and create two additional test sites for companies to start using unmanned aircraft (UAS) for package delivery or other operations. The bill also gives the FAA enforcement authority to prohibit unauthorized or

unsafe use of UAS.

- **Extends the BEYOND program:** The bill continues the BEYOND program, launched in 2020, for five years. Progress has been made under the Unmanned Aircraft Systems Integration Pilot Program which centers around developing standards, engaging communities and informing policies to facilitate the safe deployment and operation of drones.
- **Supports Avenues to Safety Certification of Air Taxis:** The bill supports pathways and additional certainty needed for the safety certification of advanced air mobility powered-lift aircraft, or “air taxis,” capable of vertical take-off and landing.

Continuing Research and Development for Innovative Aviation Technologies

- **Expands Research at the FAA's Joint Centers of Excellence for Advanced Materials:** The bill expands the Joint Centers of Excellence for Advanced Materials, co-led by the University of Washington and Wichita State University, to further research that could make aircraft lighter and more fuel efficient, and improve aircraft safety and accessibility for individuals with disabilities.
- **Improves Modernization of FAA Systems Research:** The bill creates a new research program to ensure continued modernization of the FAA's aviation information systems.
- **Supports Innovative Aircraft Jet Fuels Research:** The bill expands critical research at the FAA Center of Excellence for Alternative Jet Fuels and Environment (ASCENT) to promote safety, cut carbon emissions and make commercial aviation more fuel efficient.
- **Furthers UAS and AAM Research:** The bill expands FAA research to safely integrate unmanned aircraft systems and advanced air mobility into the national airspace system, including making it easier for first responders to use drones for disaster response.
- **Small Business Recognition:** This bill levels the playing field for small businesses to be able to further participate in the FAA's Continuous Lower Energy, Emissions and Noise Program.
- **Creates Pathways for New Entrant Technologies:** This bill works to research how to best introduce emerging aviation technologies into the airspace, including electric propulsion and hypersonic aircraft.

Empowering the NTSB

- **Authorizes More Funding:** This bill authorizes \$738 million over five years for the NTSB, ensuring the agency has the workforce and resources it needs to thoroughly investigate accidents throughout the country.
- **Additional Workforce Training:** Ensures the NTSB workforce can acquire new and additional training it needs on emerging transportation technologies so that investigators are prepared to investigate now and into the future.
- **New Investigative Authorities:** This bill grants the NTSB additional authority to investigate and identify probable cause for any highway accident, including highway accidents that occur at railroad grade crossings, concurrent with any State investigation. It also requires the NTSB and relevant state agencies to coordinate to ensure both the NTSB and the state agencies have timely access to the information needed to conduct their investigations.
- **Ensures Access to Data:** This bill ensures that the NTSB will be able to obtain the recordings, recording information, design specifications, and other data it needs from entities that are subject to an investigation by the NTSB.
- **Improves Delivery of Family Assistance:** This bill broadens the scope of assistance required to be provided by airlines to passengers and families of passengers who are affected by accidents.

Senator Cantwell introduced (<https://www.commerce.senate.gov/2023/6/cantwell-cruz-duckworth-moran-introduce-bipartisan-faa-reauthorization>) the Senate FAA Reauthorization bill on June 12, 2023, along with Sens. Cruz, Duckworth and Moran, and the Committee passed (<https://www.commerce.senate.gov/index.php/2024/2/senate-commerce-committee-passes-5-year-bipartisan-senate-faa-reauthorization-focused-on-improving-safety-advancing-technology>) the legislation with bipartisan support on February 8, 2024. The Committee held eight hearings to inform the bill's drafting, including: Integrating new entrants into the National Airspace System on September 28, 2022 (<https://www.commerce.senate.gov/2022/9/faa-reauthorization-integrating-new-entrants-into-the-national-airspace-system>),

strengthening airline operations and consumer protections following the Southwest and holiday cancellations on February 9, 2023 (<https://www.commerce.senate.gov/2023/2/executive-session>), modernizing the FAA's NOTAM system following failures on February 15, 2023 (<https://www.commerce.senate.gov/2023/2/the-federal-aviation-administration-s-notam-system-failure-and-its-impacts-on-a-resilient-national-airspace>), overseeing aviation safety and the Aircraft Certification, Safety, and Accountability Act on March 8, 2023 (<https://www.commerce.senate.gov/2023/3/implementation-and-oversight-of-the-aircraft-certification-safety-and-accountability-act>), strengthening the aviation workforce on March 16, 2023 (<https://www.commerce.senate.gov/2023/3/strengthening-the-aviation-workforce>), enhancing consumer protections and connectivity in air transportation on March 23, 2023 (<https://www.commerce.senate.gov/2023/3/enhancing-consumer-protections-and-connectivity-in-air-transportation>) and advancing the next generation aviation technologies on March 29, 2023 (<https://www.commerce.senate.gov/2023/3/advancing-next-generation-aviation-technologies>), and addressing close calls to improve aviation safety on November 9, 2023 (<https://www.commerce.senate.gov/2023/11/addressing-close-calls-to-improve-aviation-safety>).