

119TH CONGRESS
2^D SESSION

H. R. 7613

To require certain aircraft to be equipped with collision mitigation technology, to improve helicopter route safety and separation around airports, to update air traffic control processes and procedures, to address national airspace system safety in Department of Defense activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 20, 2026

Mr. GRAVES (for himself, Mr. LARSEN of Washington, Mr. ROGERS of Alabama, Mr. SMITH of Washington, Mr. NEHLS, Mr. CARSON, Mr. CRAWFORD, Mr. ROUZER, Mr. MANN, Mr. EZELL, Mr. FONG, Mr. HURD of Colorado, Mr. WITTMAN, Mrs. KIGGANS of Virginia, Mr. MCCORMICK, Mr. AUSTIN SCOTT of Georgia, Mr. WILSON of South Carolina, Mr. COURTNEY, Mr. JOHNSON of Georgia, Ms. BROWNLEY, Ms. WILSON of Florida, Mr. DESAULNIER, Ms. DAVIDS of Kansas, Ms. FRIEDMAN, Mr. BEYER, Mr. SUBRAMANYAM, Mr. CISNEROS, Mr. TRAN, Mr. FLEISCHMANN, Mr. KEATING, Mr. FIGURES, Ms. KING-HINDS, Mr. BELL, Mr. FINE, Mr. ROSE, Mr. GARAMENDI, Ms. SCHOLTEN, Mr. CARTER of Louisiana, Mrs. WATSON COLEMAN, Mr. WESTERMAN, Mr. STAUBER, Mr. TIMMONS, Mr. GOODEN, Mr. OWENS, Mr. BABIN, Mrs. FOUSHEE, Mr. VAN DREW, and Ms. HOULAHAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require certain aircraft to be equipped with collision mitigation technology, to improve helicopter route safety and separation around airports, to update air traffic control

processes and procedures, to address national airspace system safety in Department of Defense activities, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Airspace Location and Enhanced Risk Transparency Act
 6 of 2026” or the “ALERT Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—CIVIL AVIATION MATTERS

Sec. 101. Airborne Collision Avoidance System Xa inhibit altitude.

Sec. 102. Airborne Collision Avoidance System upgrades.

Sec. 103. Airborne collision avoidance systems for rotorcraft.

Sec. 104. Collision mitigation systems.

Sec. 105. Time-on-position practices.

Sec. 106. Controller training working group.

Sec. 107. Safety risk assessment tool.

Sec. 108. Operational rates at Ronald Reagan Washington National Airport.

Sec. 109. Time-based flow management.

Sec. 110. Air traffic control facility levels.

Sec. 111. Working group to evaluate shared frequency around Ronald Reagan
 Washington National Airport.

Sec. 112. Anti-blocking technology.

Sec. 113. Task force to identify improvements to air traffic controller conflict
 alert system.

Sec. 114. Postaccident and postincident drug and alcohol testing.

Sec. 115. Helicopter Route Chart annual review.

Sec. 116. Further modifications to Ronald Reagan Washington National Air-
 port area helicopter routes.

Sec. 117. Requiring vertical separation near airports during critical phases of
 flight.

Sec. 118. Visual charts.

Sec. 119. Close proximity encounters.

Sec. 120. Notification of close proximity encounters and analysis of data.

Sec. 121. Safety culture review.

Sec. 122. Documentation of control position combinations.

Sec. 123. Review of miles-in-trail procedures or agreements.

TITLE II—DEPARTMENT OF DEFENSE MATTERS

Sec. 201. Department of Defense matters relating to aviation safety.

Sec. 202. Treatment of superseded memorandum of agreement and provision of law.

Sec. 203. Manned rotary wing aircraft safety.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Federal
5 Aviation Administration.

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

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

14 (4) SECRETARY.—The term “Secretary” means
15 the Secretary of Transportation.

16 **TITLE I—CIVIL AVIATION**
17 **MATTERS**

18 **SEC. 101. AIRBORNE COLLISION AVOIDANCE SYSTEM XA IN-**
19 **HIBIT ALTITUDE.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of enactment of this Act, the Administrator shall
22 complete an evaluation of the feasibility of decreasing the

1 traffic advisory and resolution advisory inhibit altitudes
2 in Airborne Collision Avoidance System Xa (hereinafter
3 referred to as “ACAS-Xa”) to enable improved alerting
4 throughout more of the flight maneuvering envelope of an
5 aircraft than is required under the RTCA minimum oper-
6 ational performance standards for the Airborne Collision
7 Avoidance System (DO–385A, issued June 22, 2023).

8 (b) CONSULTATION.—In conducting the evaluation
9 under subsection (a), the Administrator shall consult with
10 representatives of the following:

11 (1) Air carriers operating under part 121 of
12 title 14, Code of Federal Regulations.

13 (2) Air carriers operating under part 135 of
14 title 14, Code of Federal Regulations.

15 (3) Air carriers operating under part 91 of title
16 14, Code of Federal Regulations.

17 (4) Regional air carriers.

18 (5) Air carriers with a low-cost or ultra-low-cost
19 business model.

20 (6) Cargo air carriers.

21 (7) Transport category aircraft manufacturers.

22 (8) General aviation aircraft manufactures.

23 (9) Avionics manufacturers.

1 (10) Exclusive bargaining representatives of air
2 traffic controllers certified under section 7111 of
3 title 5, United States Code.

4 (11) Organizations representing certified collec-
5 tive bargaining representatives of airline pilots.

6 (12) The certified bargaining representative of
7 aviation safety inspectors and engineers for the Fed-
8 eral Aviation Administration.

9 (13) Aviation safety experts with specific knowl-
10 edge of human factors or human factors experts
11 with specific knowledge of aviation safety.

12 (14) Any other stakeholders the Administrator
13 determines appropriate.

14 (c) CONSIDERATIONS.—In conducting the evaluation
15 under subsection (a), the Administrator shall consider—

16 (1) to the greatest extent possible, human fac-
17 tors, including products by working groups related
18 to human factors in aviation safety;

19 (2) air traffic control procedures during critical
20 phases of flight;

21 (3) the impact to pilot and air traffic controller
22 focus during critical phases of flight;

23 (4) the benefits and detriments to pilot and air
24 traffic controller situational awareness;

25 (5) pilot training requirements;

1 (6) transport category aircraft manufacturers;

2 (7) general aviation aircraft manufactures;

3 (8) avionics manufacturers;

4 (9) supplemental type certificate holders;

5 (10) modification service providers;

6 (11) exclusive bargaining representatives of air

7 traffic controllers certified under section 7111 of

8 title 5, United States Code;

9 (12) the certified bargaining representative of

10 aviation safety inspectors and engineers for the Fed-

11 eral Aviation Administration;

12 (13) organizations representing certified collec-

13 tive bargaining representatives of airline pilots;

14 (14) aviation safety experts with specific knowl-

15 edge of human factors or human factors experts

16 with specific knowledge of aviation safety; and

17 (15) any other stakeholders the Administrator

18 determines appropriate.

19 (c) CONSIDERATIONS.—In developing the findings

20 and recommendations under subsection (a) the Committee

21 shall consider—

22 (1) the anticipated modifications to the min-

23 imum operational performance standards of ACAS-

24 Xa that are required by subsection (e)(1)(B);

1 (2) the results of the evaluation under section
2 101;

3 (3) the anticipated certification deadline for
4 ACAS-Xa given the technical complexity and req-
5 uisite procedures for approval;

6 (4) the soonest practicable deadline for equip-
7 ping newly manufactured selected aircraft;

8 (5) the soonest practicable deadline to retrofit
9 existing selected aircraft with ACAS-Xa that con-
10 siders—

11 (A) the feasibility of using the Line Re-
12 placeable Units of existing collision avoidance
13 systems in such aircraft;

14 (B) the feasibility of using existing anten-
15 nas of existing collisions avoidance systems in
16 such aircraft; and

17 (C) the commercial availability of all nec-
18 essary components associated with ACAS-Xa;

19 (6) actions the Administrator can take to
20 prioritize the certification and installation of ACAS-
21 Xa;

22 (7) related training for air traffic controllers,
23 pilots, and others; and

24 (8) any other considerations the Committee de-
25 termines appropriate.

1 (d) REPORT.—Not later than 1 year after the date
2 of establishment of the Committee, the Committee shall
3 submit to the Administrator and the appropriate commit-
4 tees of Congress a report containing the findings and rec-
5 ommendations of the Committee.

6 (e) RULEMAKING AND MODIFICATION OF MINIMAL
7 OPERATING PERFORMANCE STANDARDS.—

8 (1) IN GENERAL.—Not later than 18 months
9 after the submission of the report under subsection
10 (d), the Administrator shall—

11 (A) issue a notice of proposed rulemaking
12 to require selected aircraft to be equipped with
13 ACAS-Xa; and

14 (B) modify the minimum operational per-
15 formance standards for ACAS-Xa, to include—

16 (i) traffic advisory aural alerts to in-
17 clude clock position, relative altitude, range
18 and vertical tendency; and

19 (ii) the integration of directional traf-
20 fic symbols.

21 (2) CONTENTS.—The notice of proposed rule-
22 making described in paragraph (1)(A) shall include,
23 at a minimum—

24 (A) appropriate guidance for certification
25 of ACAS-Xa;

1 (B) defined standards for the modification
2 described in paragraph (1)(B);

3 (C) a deadline for any newly manufactured
4 selected aircraft to be equipped with ACAS-Xa,
5 based on the findings and recommendations de-
6 veloped pursuant to subsection (b)(1); and

7 (D) a deadline for existing selected aircraft
8 to be retrofit with ACAS-Xa, based on the find-
9 ings and recommendations developed pursuant
10 to subsection (b)(1).

11 (3) FINAL RULE.—Not later than 1 year after
12 the issuance of the notice of proposed rulemaking re-
13 quired under paragraph (1)(A), the Administrator
14 shall issue a final rule to carry out the requirements
15 of this section.

16 (f) SELECTED AIRCRAFT DEFINED.—In this section,
17 the term “selected aircraft” means aircraft that are re-
18 quired to be equipped with traffic alert and collision avoid-
19 ance systems as required in part 121.356 of title 14, Code
20 of Federal Regulations, and part 135.180 of such title.

21 **SEC. 103. AIRBORNE COLLISION AVOIDANCE SYSTEMS FOR**
22 **ROTORCRAFT.**

23 (a) IN GENERAL.—Not later than December 31,
24 2026, the Administrator shall take necessary action to
25 work with the appropriate standards setting organization

1 to develop, finalize, and publish minimum operational per-
2 formance standards for the collision avoidance system
3 know as “Airborne Collision Avoidance System Xr” (in
4 this section referred to as “ACAS-Xr”).

5 (b) ACAS-XR AVIATION RULEMAKING COM-
6 MITTEE.—

7 (1) ESTABLISHMENT.—Not later than 30 days
8 after the date on which the appropriate standards
9 setting organization publishes minimal operational
10 performance standards for ACAS-Xr under sub-
11 section (a), the Administrator shall establish an
12 aviation rulemaking committee (in this section re-
13 ferred to as the “Committee”) to review and develop
14 findings and recommendations to require selected
15 rotorcraft be equipped with ACAS-Xr.

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

19 (A) rotorcraft operating under part 135 of
20 title 14, Code of Federal Regulations;

21 (B) rotorcraft operating under part 91 of
22 title 14, Code of Federal Regulations;

23 (C) rotorcraft manufacturers;

24 (D) an organization representing rotorcraft
25 operators and pilots;

1 (E) general aviation aircraft manufactur-
2 ers;

3 (F) avionics manufacturers;

4 (G) supplemental type certificate holders;

5 (H) modification service providers;

6 (I) exclusive bargaining representatives of
7 air traffic controllers certified under section
8 7111 of title 5, United States Code;

9 (J) the certified bargaining representative
10 of aviation safety inspectors and engineers for
11 the Federal Aviation Administration;

12 (K) aviation safety experts with specific
13 knowledge of human factors or human factors
14 experts with specific knowledge of aviation safe-
15 ty; and

16 (L) any other stakeholders the Adminis-
17 trator determines appropriate.

18 (3) CONSIDERATIONS.—In developing the find-
19 ings and recommendations required under paragraph
20 (1), the Committee shall consider—

21 (A) the anticipated modifications to the
22 minimum operational performance standards of
23 ACAS-Xr that are required by subsection
24 (c)(1)(B);

1 (B) the anticipated certification timeline
2 for ACAS-Xr given the technical complexity and
3 requisite procedures for approval;

4 (C) a projected deadline for equipping
5 newly manufactured selected rotorcraft the
6 commercial availability of the necessary compo-
7 nents associated with ACAS-Xr that con-
8 siders—

9 (i) the anticipated timeline needed for
10 the FAA to approve the installation of
11 ACAS-Xr on various rotorcraft or for var-
12 ious operations; and

13 (ii) the commercial availability of the
14 necessary components associated with
15 ACAS-Xr;

16 (D) a projected deadline to retrofit selected
17 rotorcraft with ACAS-Xr that considers—

18 (i) the feasibility of using existing an-
19 tennas of existing collision mitigation sys-
20 tems equipped in such rotorcraft;

21 (ii) the feasibility and cost associated
22 with retrofitting rotorcraft not equipped
23 with existing collision avoidance systems;
24 and

1 (iii) the commercial availability of the
2 necessary components associated with
3 ACAS-Xr;

4 (E) actions that the Administrator can
5 take to prioritize the certification and installa-
6 tion of ACAS-Xr;

7 (F) related training for air traffic control-
8 lers, pilots, and others; and

9 (G) any other considerations the Com-
10 mittee determines appropriate.

11 (4) REPORT.—Not later than 1 year after the
12 establishment of the Committee, the Committee shall
13 submit to the Administrator and the appropriate
14 committees of Congress a report on the findings and
15 the recommendations developed by the Committee
16 under this subsection.

17 (c) RULEMAKING AND MODIFICATION OF MINIMAL
18 OPERATING PERFORMANCE STANDARDS.—

19 (1) IN GENERAL.—Not later than 18 months
20 after the submission of the report required under
21 subsection (b)(4), the Administrator shall—

22 (A) issue a notice of proposed rulemaking
23 to require all selected rotorcraft to be equipped
24 with ACAS-Xr; and

1 (B) take necessary actions to modify the
2 minimal operational performance standards for
3 ACAS-Xr, including—

4 (i) traffic advisory aural alerts to in-
5 clude clock position, relative altitude, range
6 and vertical tendency; and

7 (ii) the integration of directional traf-
8 fic symbols.

9 (2) CONTENTS.—The notice of proposed rule-
10 making required under paragraph (1)(A) shall in-
11 clude, at a minimum—

12 (A) appropriate guidance for the certifi-
13 cation of ACAS-Xr systems;

14 (B) defined standards for the modifications
15 to such systems described in paragraph (1)(B);

16 (C) a deadline for any newly manufactured
17 selected rotorcraft to be equipped with ACAS-
18 Xr, based on the findings and recommendations
19 developed pursuant to subsection (b); and

20 (D) a deadline for selected rotorcraft to be
21 retrofit with ACAS-Xr, based on the findings
22 and recommendations developed pursuant to
23 subsection (b).

24 (3) FINAL RULE.—Not later than 18 months
25 after the issuance of a notice of proposed rule-

1 making under paragraph (1)(A), the Administrator
2 shall issue a final rule associated with such proposed
3 rulemaking.

4 (d) **SELECTED ROTORCRAFT.**—In this section, the
5 term “selected rotorcraft” means a civil rotorcraft oper-
6 ating in Class B airspace.

7 **SEC. 104. COLLISION MITIGATION SYSTEMS.**

8 (a) **IN GENERAL.**—Not later than 45 days after the
9 date of enactment of this Act, the Administrator shall ini-
10 tiate a negotiated rulemaking proceeding to require cov-
11 ered aircraft to be equipped with collision mitigation tech-
12 nology.

13 (b) **COMPOSITION.**—The committee convened for the
14 negotiated rulemaking described in subsection (a) (in this
15 section referred to as the “Committee”) shall include par-
16 ticipation from representatives of the following:

17 (1) Air carriers operating under part 121 of
18 title 14, Code of Federal Regulations.

19 (2) Air carriers operating under part 135 of
20 title 14, Code of Federal Regulations.

21 (3) Air carriers operating under part 91 of title
22 14, Code of Federal Regulations.

23 (4) Organizations representing helicopter avia-
24 tion operators and pilots.

1 (5) Organizations representing the general avia-
2 tion community.

3 (6) Organizations representing business avia-
4 tion operators.

5 (7) Organizations representing experimental
6 aircraft operators.

7 (8) Transport category aircraft manufacturers.

8 (9) General aviation aircraft manufactures.

9 (10) Rotorcraft manufacturers.

10 (11) Avionics manufacturers.

11 (12) Supplemental type certificate holders.

12 (13) Aircraft modification service providers.

13 (14) Exclusive bargaining representatives of air
14 traffic controllers certified under section 7111 of
15 title 5, United States Code.

16 (15) Certified bargaining representative of avia-
17 tion safety inspectors and engineers for the FAA.

18 (16) Not less than 3 organizations representing
19 certified collective bargaining representatives of air-
20 line pilots operating under part 121 of title 14, Code
21 of Federal Regulations.

22 (17) Aviation safety experts with specific knowl-
23 edge of human factors or human factors experts
24 with specific knowledge of aviation safety.

1 (c) CONSIDERATIONS.—In the negotiated rulemaking
2 required under this section, the Committee shall con-
3 sider—

4 (1) relevant collision avoidance technology regu-
5 lation, guidance, and policies;

6 (2) available and projected software that can
7 predict aircraft movements based on data from
8 Automatic Dependent Surveillance-Broadcast (in
9 this section referred to as “ADS-B”), Mode S,
10 Mode C, or other transponders;

11 (3) the necessity of 2 independently verified
12 data sources to activate traffic resolution advisories
13 that require compliance by flight crews to maneuver
14 a covered aircraft regardless of air traffic control in-
15 structions;

16 (4) the margin of error and accuracy of tech-
17 nologies listed in paragraph (2);

18 (5) the ways in which collision mitigation tech-
19 nologies can further the accuracy and efficacy of
20 surface surveillance technologies;

21 (6) potential opportunities to extend existing
22 surface safety technologies to address the risk of
23 midair collisions;

24 (7) the effort of the Administrator to modernize
25 the air traffic control system, including timelines,

1 technologies being incorporated, and planned
2 trainings;

3 (8) the role of air traffic controllers in ensuring
4 aircraft separation;

5 (9) the potential benefits and consequences to
6 safety of a phased implementation of effective dates
7 based on types of aircraft and operations;

8 (10) the time it will take for the certification of
9 collision mitigation technologies under chapter 447
10 of title 49, United States Code;

11 (11) the capacity of the aerospace supply chain
12 to manufacture necessary equipment;

13 (12) how to ensure broad compliance without
14 egregiously disproportionate implementation
15 timelines between operators;

16 (13) ongoing rulemakings required under sec-
17 tion 102 and section 103 of this Act;

18 (14) the use of existing air traffic control devi-
19 ation authorization tools to implement the require-
20 ment in subsection (j)(1)(B);

21 (15) the requirements for the final rule as spec-
22 ified in subsection (f); and

23 (16) any other considerations the Administrator
24 determines appropriate.

1 (d) DEADLINE FOR COMMITTEE DELIBERATION.—
2 Not later than 18 months after the initiation of the rule-
3 making proceeding under subsection (a), the Committee
4 shall conclude deliberations and submit to the Adminis-
5 trator and the appropriate committees of Congress—

6 (1) if the Committee reaches consensus, a re-
7 port containing the proposed rule and other applica-
8 ble records as determined by the Committee; or

9 (2) if the Committee does not reach consensus,
10 any proposed language in which the Committee
11 reached partial consensus, a summary of issues pre-
12 venting total consensus, and any other information,
13 recommendations, or materials created during delib-
14 erations.

15 (e) PROPOSED RULE AND CONGRESSIONAL BRIEF-
16 ING.—Not later than 30 days after receiving the report
17 or information, as applicable, required under subsection
18 (d) from the Committee, the Administrator shall submit
19 a proposed rule to the appropriate committees of Congress
20 and thereafter brief the appropriate committees of Con-
21 gress on such report or information.

22 (f) FINAL RULE.—Not later than 2 years after the
23 initiation of the rulemaking proceeding under subsection
24 (a), the Administrator shall issue a final rule to carry out

1 the requirements of this section that incorporates the rec-
2 ommendations from the Committee.

3 (g) REQUIREMENTS FOR FINAL RULE.—In issuing
4 the final rule required under subsection (f), the Adminis-
5 trator shall—

6 (1) require that covered aircraft be equipped
7 with technologies capable of receiving ADS-B trans-
8 missions (in this section referred to as “ADS-B
9 In”);

10 (2) establish performance requirements for
11 equipping collision mitigation technology that, as de-
12 termined by the Administrator, are appropriate for
13 the covered aircraft and the operations, including
14 the operating environment;

15 (3) in establishing the performance require-
16 ments described in paragraph (2)—

17 (A) require such technology be configured
18 to provide audible alerting to the pilot and
19 flight crew;

20 (B) consider the field of view of the pilots,
21 human factors, and, if applicable, mounting
22 method of such technology, to ensure that such
23 technology can be readily utilized and has mini-
24 mal risk of unexpected detachment;

1 (C) require that covered aircraft equipped
2 with technologies that issue traffic resolution
3 advisories are receiving and integrating into
4 such resolution advisories not less than 2 inde-
5 pendently verified data sources; and

6 (D) consider the utilization of existing an-
7 tenna locations or the placement of new an-
8 tenna used to receive and, if applicable, trans-
9 mit, data used in collision mitigation tech-
10 nology;

11 (4) identify existing or issue additional relevant
12 guidance or technical standard orders to carry out
13 the requirements of this section; and

14 (5) establish an effective date not later than
15 December 31, 2031, for equipping the covered air-
16 craft with technology described in subsection (a)
17 that reflects various aircraft types, appropriate
18 maintenance cycles, and required updates to appro-
19 priate guidance for such technology after certifi-
20 cation of such technologies.

21 (h) ALTERNATIVE MEANS OF COMPLIANCE.—In
22 issuing the final rule required under this section, the Ad-
23 ministrator shall allow for an alternative means of compli-
24 ance that provides an equivalent level of safety—

1 (1) that leverages alternative equipment or
2 technology that utilizes the use of portable ADS-B
3 In receivers or other equipment that displays on an
4 existing or future portable device, electronic flight
5 bag or panel mounted display; and

6 (2) allows for the continued use of any portable
7 or installed collision mitigation technology in use at
8 the time of the effective date established in sub-
9 section (g)(5).

10 (i) ADMINISTRATIVE PROVISION.—The Adminis-
11 trator may designate the Committee in a manner that
12 would provide the Committee the same dispensation as if
13 the Administrator had designated it as an aviation rule-
14 making committee under section 106(p)(5)(B) of title 49,
15 United States Code.

16 (j) DEFINITIONS.—In this section:

17 (1) COVERED AIRCRAFT.—The term “covered
18 aircraft”—

19 (A) means—

20 (i) a turbine-powered civil aircraft (as
21 such term is defined in section 40102 of
22 title 49, United States Code) required to
23 be equipped with ADS-B Out under sec-
24 tion 91.225 of title 14, Code of Federal
25 Regulations; and

1 (ii) a civil aircraft, not including air-
2 craft specified in section 91.225(e) of title
3 14, Code of Federal Regulations, operating
4 in class B and Class C airspace areas and
5 areas designated by section 91.225(d)(3)
6 of title 14, Code of Federal Regulations;
7 and

8 (B) excludes aircraft manufactured before
9 the date of enactment of this Act that have a
10 limited category special airworthiness certificate
11 or an experimental airworthiness certificate,
12 provided the pilot of such aircraft is authorized
13 to deviate from the requirements of this section,
14 to operate in the airspace areas described in
15 subparagraph (A)(ii), by air traffic control in
16 the same manner ADS-B Out deviations are
17 approved under section 91.225(g) of title 14,
18 Code of Federal Regulations.

19 (2) COLLISION MITIGATION TECHNOLOGY.—The
20 term “collision mitigation technology” means equip-
21 ment that receives and process ADS-B trans-
22 missions that are broadcast in accordance with part
23 91.225 and 91.227 of title 14, Code of Federal Reg-
24 ulations, or any successor regulations, and other
25 aviation advisory information from ground stations,

1 that provides the aircraft with awareness to the loca-
2 tion of other aircraft and traffic advisories.

3 **SEC. 105. TIME-ON-POSITION PRACTICES.**

4 (a) MEMORANDUM OF UNDERSTANDING.—

5 (1) IN GENERAL.—The Administrator and the
6 exclusive bargaining representative of air traffic con-
7 trollers certified under section 7111 of title 5,
8 United States Code, may execute a memorandum of
9 understanding to review the time-on-position prac-
10 tices for operations supervisory personnel.

11 (2) CONTENTS.—The memorandum of under-
12 standing described in paragraph (1) may—

13 (A) include an evaluation of the time-on-
14 position practices for operations supervisory
15 personnel at the time such memorandum is exe-
16 cuted, prioritizing the evaluation of such prac-
17 tices at Ronald Reagan Washington National
18 Airport and other air traffic facilities with high
19 volumes of mixed helicopter and airplane traf-
20 fic;

21 (B) provide recommendations for improv-
22 ing such practices for Air Traffic Organization
23 operations supervisory personnel at Ronald
24 Reagan Washington National Airport and other

1 air traffic facilities with high volumes of mixed
2 helicopter and airplane traffic;

3 (C) consider the operational oversight
4 needs and staffing levels of the air traffic facili-
5 ties described in the previous subparagraphs;
6 and

7 (D) include any other items determined ap-
8 propriate by the parties executing such memo-
9 randum.

10 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion shall be construed to interfere with any agreement
12 between a governmental entity and the exclusive bar-
13 gaining representative of air traffic controllers certified
14 under section 7111 of title 5, United States Code, includ-
15 ing requirements under section 7106(a) of title 5, United
16 States Code, section 5333(b) of title 49, United States
17 Code, and section 40122 of title 49, United States Code.

18 (c) DEFINITIONS.—In this section:

19 (1) OPERATIONAL OVERSIGHT.—The term
20 “operational oversight” means the duty of the indi-
21 vidual in charge of the operation to effectively lead
22 and manage the delivery of air traffic services by
23 maintaining intentional engagement, situational
24 awareness, and accountability within the area of su-
25 pervision.

1 (2) OPERATIONS SUPERVISORY PERSONNEL.—

2 The term “operations supervisory personnel” means
3 managerial personnel responsible for the direct su-
4 pervision of air traffic control operational personnel.

5 **SEC. 106. CONTROLLER TRAINING WORKING GROUP.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, the Administrator shall es-
8 tablish a working group (in this section referred to as the
9 “Working Group”) to provide the Administrator with rec-
10 ommendations for revising regulations and standards per-
11 taining to the initial and recurrent training of air traffic
12 controllers on—

13 (1) threat and error management; and

14 (2) tower-applied and pilot-applied visual sepa-
15 ration procedures.

16 (b) MEMBERSHIP.—The Working Group shall consist
17 of members appointed by the Administrator, including
18 representatives of—

19 (1) the exclusive bargaining representative of
20 air traffic controllers certified under section 7111 of
21 title 5, United States Code;

22 (2) the certified bargaining representative of
23 aviation safety inspectors and engineers for the Ad-
24 ministration;

1 (3) organizations representing certified collec-
2 tive bargaining representatives of airline pilots;

3 (4) organizations representing air traffic control
4 managers and operations supervisors;

5 (5) airport sponsors and operators;

6 (6) operators under parts 121, 125, or 135 of
7 title 14, Code of Federal Regulations;

8 (7) organizations representing operators under
9 part 91 of title 14, Code of Federal Regulations; and

10 (8) aviation safety experts with specific knowl-
11 edge of—

12 (A) human factors;

13 (B) threat and error management best
14 practices and policies; and

15 (C) visual separation procedures and regu-
16 lations.

17 (c) CONSIDERATIONS.—The Working Group shall
18 consider, at a minimum—

19 (1) the findings and recommendations of the
20 National Transportation Safety Board;

21 (2) the requirements of—

22 (A) FAA Order JO 3120.4S, titled “Air
23 Traffic Technical Training”, issued on August
24 28, 2024;

1 (B) FAA Order JO 7210.3EE, titled “Facility Operation and Administration”, issued on
2 February 20, 2025;

3 (C) FAA Order JO 7110.65BB, titled “Air
4 Traffic Control”, issued on February 20, 2025;
5 and

6 (D) other relevant air traffic control stand-
7 ards, guidance, and policies;

8 (3) whether the frequency of the recurrent
9 training described in subsection (a) should be in-
10 creased for air traffic controllers in facilities man-
11 aging high-complexity or high-volume airspace;

12 (4) data, reports, and peer-reviewed studies on
13 human factors and threat and error management
14 best practices;

15 (5) the appropriate use of tower simulator sys-
16 tems and other advanced training technologies to
17 supplement the recurrent training described in sub-
18 section (a), including the use of data analytics from
19 such systems and technologies to individualize in-
20 struction;

21 (6) the use of data analytics to identify sys-
22 temic gaps in the recurrent training described in
23 subsection (a) and to dynamically enhance training
24 curriculum and techniques;
25

1 (7) data gathered from aviation safety reporting
2 programs; and

3 (8) any other item determined appropriate by
4 the Working Group.

5 (d) REPORT TO CONGRESS.—Not later than 1 year
6 after the Working Group is established, the Administrator
7 shall submit to the appropriate committees of Congress
8 a report containing the findings and recommendations of
9 the Working Group.

10 (e) RULEMAKING.—

11 (1) PROPOSED RULE.—Not later than 90 days
12 after the submission of the report under subsection
13 (d), the Administrator shall issue a notice of pro-
14 posed rulemaking revising standards for the required
15 recurrent training described in subsection (a), as
16 recommended by the Working Group.

17 (2) FINAL RULE.—Not later than 180 days
18 after publishing the proposed rule under paragraph
19 (1), the Administrator shall issue a final rule based
20 on such proposed rule.

21 (3) JUSTIFICATION FOR DECISION RELATED TO
22 RECOMMENDATIONS.—If the Administrator decides
23 not to implement any of the recommendations de-
24 scribed in subsection (d), the Administrator shall
25 submit to the appropriate committees of Congress

1 the justification for the decision with respect to each
2 such recommendation.

3 (f) **THREAT AND ERROR MANAGEMENT DEFINED.**—

4 In this section, the term “threat and error management”
5 has the meaning described in chapter 6 of the Risk Man-
6 agement Handbook (FAA H-8083-2A) or any successor
7 document.

8 **SEC. 107. SAFETY RISK ASSESSMENT TOOL.**

9 (a) **IN GENERAL.**—Not later than 180 days after the
10 date of enactment of this Act, the Administrator shall seek
11 to enter into an agreement with a federally funded re-
12 search and development center to develop a safety risk as-
13 sessment tool for use by air traffic controllers to assist
14 in airspace risk identification, mitigation, and operational
15 decision making.

16 (b) **CONSIDERATIONS.**—In carrying out subsection
17 (a), the federally funded research and development center
18 shall consider, at a minimum—

19 (1) the development of a safety risk assessment
20 tool capable of supporting the air traffic controllers
21 in—

22 (A) identifying safety risks;

23 (B) analyzing the impact of and
24 prioritizing such risks; and

1 (C) developing strategies to reduce or
2 eliminate such risks in real time;

3 (2) data, reports, studies, and best practices on
4 threat and error management;

5 (3) findings and recommendations of the—

6 (A) National Transportation Safety Board;

7 (B) National Airspace System Safety Re-
8 view Team; and

9 (C) frontline manager workload study au-
10 thorized under section 412 of the FAA Reau-
11 thorization Act of 2024 (Public Law 118–63);

12 (4) air traffic facility type and staffing level;

13 (5) risk assessment guidance, policies, and reg-
14 ulations of the Administration in place prior to the
15 date of enactment of this Act;

16 (6) data gathered from aviation safety reporting
17 programs;

18 (7) best practices or similar relevant risk as-
19 sessment tools and methods used by foreign civil
20 aviation authorities; and

21 (8) any other factors determined relevant by
22 the federally funded research and development cen-
23 ter.

24 (c) CONSULTATION.—To develop the safety risk as-
25 sessment tool required under subsection (a), the federally

1 funded research and development center shall consult
2 with—

3 (1) organizations representing operations super-
4 visors;

5 (2) the exclusive bargaining representative of
6 air traffic controllers certified under section 7111 of
7 title 5, United States Code;

8 (3) aviation safety experts with specific knowl-
9 edge of threat and error management;

10 (4) aviation safety experts with specific knowl-
11 edge of human factors; and

12 (5) any other stakeholders determined relevant
13 by the federally funded research and development
14 center.

15 (d) BRIEFING TO CONGRESS.—Not later than 1 year
16 after entering into the agreement pursuant to subsection
17 (a), the Administrator shall brief the appropriate commit-
18 tees of Congress on the development of the safety risk as-
19 sessment tool required under this section and rec-
20 ommendations for implementation.

21 (e) THREAT AND ERROR MANAGEMENT DEFINED.—
22 In this section, the term “threat and error management”
23 has the meaning described in chapter 6 of the Risk Man-
24 agement Handbook (FAA H-8083-2A) or any successor
25 document.

1 **SEC. 108. OPERATIONAL RATES AT RONALD REAGAN WASH-**
2 **INGTON NATIONAL AIRPORT.**

3 (a) IN GENERAL.—Not later than 30 days after the
4 date of enactment of this Act, the Administrator shall ini-
5 tiate an assessment of the aircraft arrival rate at Ronald
6 Reagan Washington National Airport.

7 (b) CONSIDERATIONS.—In conducting the assess-
8 ment described in subsection (a), the Administrator shall
9 consider—

- 10 (1) airspace complexity;
- 11 (2) airfield limitations;
- 12 (3) mixed-fleet operations;
- 13 (4) traffic volume;
- 14 (5) air carrier scheduling practices;
- 15 (6) the operational capacity of such airport;
- 16 (7) the current hourly instrument flight rules
17 allocation practice at such airport;
- 18 (8) expertise provided by the Air Traffic Orga-
19 nization; and
- 20 (9) any other considerations the Administrator
21 determines appropriate.

22 (c) COMPLETION OF ASSESSMENT.—Not later than
23 180 days after the Administrator initiates the assessment
24 under subsection (a), the Administrator shall complete
25 and submit to the appropriate committees of Congress

1 such assessment, including any related findings and rec-
2 ommendations.

3 (d) RULEMAKING.—Not later than 30 days after
4 completing the assessment pursuant to subsection (c), and
5 taking such assessment into account, the Administrator
6 shall initiate a rulemaking proceeding to update subpart
7 K of part 93 of title 14, Code of Federal Regulations, to
8 require allocated instrument flight rules operations at
9 Ronald Reagan Washington National Airport to be pre-
10 scribed in periods not greater than 30 minutes to ensure
11 such airport does not exceed safe capacity.

12 (e) CONSULTATION.—In conducting the rulemaking
13 required under subsection (d), the Administrator shall
14 consult with the following:

15 (1) Any air carrier operating under part 121 of
16 title 14, Code of Federal Regulations, with scheduled
17 operations at Ronald Reagan Washington National
18 Airport.

19 (2) The exclusive bargaining representatives of
20 air traffic controllers certified under section 7111 of
21 title 5, United States Code.

22 (3) The Metropolitan Washington Airports Au-
23 thority.

24 (4) Any other stakeholders the Administrator
25 determines appropriate.

1 **SEC. 109. TIME-BASED FLOW MANAGEMENT.**

2 Not later than 1 year after the date of enactment
3 of this Act, the Administrator shall implement operational
4 use of the time-based flow management system at Poto-
5 mac Consolidated Terminal Radar Approach Control and
6 associated air traffic control towers.

7 **SEC. 110. AIR TRAFFIC CONTROL FACILITY LEVELS.**

8 (a) REVIEW OF AIR TRAFFIC CONTROL FACILITY
9 LEVEL CRITERIA.—

10 (1) IN GENERAL.—The National Validation
11 Team may review the criteria and procedures used
12 to assess, determine, and validate the classification
13 level of air traffic control facilities.

14 (2) CONSIDERATIONS.—To conduct the review
15 required under paragraph (1), the National Valida-
16 tion Team may consider—

17 (A) the accuracy of the factors and multi-
18 pliers used to calculate the traffic count index
19 and other related formulas for air traffic con-
20 trol facilities;

21 (B) whether new relevant factors and mul-
22 tipliers should be incorporated into such for-
23 mulas to more accurately reflect the complexity
24 of the facility operations; and

1 (C) the findings and recommendations of
2 the National Transportation Safety Board with
3 respect to air traffic control facility levels.

4 (3) UPDATE CRITERIA AND PROCEDURES.—
5 Upon completion of the review of criteria and proce-
6 dures under this subsection, the National Validation
7 Team may revise, as appropriate, such criteria and
8 procedures.

9 (4) CONFORMING AMENDMENTS TO FAA DOCU-
10 MENTS.—In issuing such revised guidance, the Na-
11 tional Validation Team may recommend revisions to
12 FAA Order 7210.57, titled “Traffic Counting, Re-
13 porting, and Processing for Determining Facility
14 Classification Levels”, or any successor document,
15 and corresponding policy or guidance materials to
16 reflect any criteria and procedures revised pursuant
17 to paragraph (3).

18 (b) REASSESSMENT OF AIR TRAFFIC CONTROL FA-
19 CILITY LEVELS.—

20 (1) IN GENERAL.—Upon completion of the re-
21 view conducted under subsection (a), the National
22 Validation Team shall reassess, taking into account
23 any revisions to criteria and procedures revised
24 under such subsection, the air traffic control facility
25 level at—

1 (A) the Ronald Reagan Washington Na-
2 tional Airport; and

3 (B) any other air traffic control facilities
4 with high volumes of mixed helicopter and air-
5 plane traffic.

6 (2) REPORT.—Not later than 1 year after com-
7 pletion of the review conducted under subsection (a),
8 the Administrator shall submit to the appropriate
9 committees of Congress a report detailing the find-
10 ings of the reassessment required under paragraph
11 (1) and recommendations with respect to the classi-
12 fication level of air traffic control facilities described
13 in such paragraph.

14 (3) IMPLEMENTATION.—If the National Valid-
15 ation Team determines that a reclassification of the
16 air traffic control facilities described in paragraph
17 (1) to a higher level is appropriate, the National
18 Validation Team may take any such actions as nec-
19 essary to do so.

20 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion may be construed to interfere with any agreement be-
22 tween a governmental entity and the exclusive bargaining
23 representative of air traffic controllers certified under sec-
24 tion 7111 of title 5, United States Code, including require-
25 ments under sections 5333(b) and 40122 of title 49,

1 United States Code, and section 7106(a)(1) of title 5,
2 United States Code.

3 (d) NATIONAL VALIDATION TEAM DEFINED.—In
4 this section, the term “National Validation Team” means
5 the joint working group comprised of the FAA and the
6 exclusive bargaining representative of air traffic control-
7 lers certified under section 7111 of title 5, United States
8 Code, established in May 2011 to administer and assess
9 the agreed-upon calculations, formulas, and standards re-
10 lated to air traffic control facility levels.

11 **SEC. 111. WORKING GROUP TO EVALUATE SHARED FRE-**
12 **QUENCY AROUND RONALD REAGAN WASH-**
13 **INGTON NATIONAL AIRPORT.**

14 (a) IN GENERAL.—Not later than 3 months after the
15 date of enactment of this Act, the Administrator shall con-
16 vene a working group (in this section referred to as the
17 “Working Group”) to conduct a comprehensive evaluation
18 of the safety benefits and risks of requiring all aircraft
19 to use the same communications frequency during any pe-
20 riod in which helicopter and local air traffic control posi-
21 tions are combined in the Ronald Reagan Washington Na-
22 tional Airport air traffic control tower.

23 (b) MEMBERS.—The Working Group convened under
24 subsection (a) shall be comprised of representatives of—

1 (1) the exclusive bargaining representatives of
2 air traffic controllers certified under section 7111 of
3 title 5, United States Code;

4 (2) the organization representing air traffic
5 control operational supervisors and managers;

6 (3) 3 separate organizations representing the
7 certified collective bargaining representatives of pi-
8 lots operating under part 121 of title 14, Code of
9 Federal Regulations;

10 (4) an organization representing helicopter
11 aviation operators and pilots;

12 (5) an organization representing business avia-
13 tion operators and pilots;

14 (6) an organization representing air carriers op-
15 erating under part 121 of title 14, United States
16 Code;

17 (7) an organization representing air carriers op-
18 erating under part 121 of title 14, United States
19 Code, with a low-cost or ultra-low-cost business
20 model;

21 (8) an individual that has expertise in an oper-
22 ational or academic discipline that is relevant to the
23 analysis of human factors in aviation, which may in-
24 clude air carrier operations, line pilot expertise, air
25 traffic control, linguistics, human-machine integra-

1 tion, general aviation operations, and organizational
2 behavior and culture;

3 (9) the FAA, provided the representative has
4 expertise on flight operations in the area described
5 in subsection (a);

6 (10) the Department of Defense, provided the
7 representative has expertise on Department of De-
8 fense flight operations in the area described in sub-
9 section (a);

10 (11) the Coast Guard, provided the representa-
11 tive has expertise on Coast Guard flight operations
12 in the area described in subsection (a); and

13 (12) other organizations or agencies as deter-
14 mined necessary by the Administrator.

15 (c) VOTING.—The members described in paragraphs
16 (9), (10), (11), and, in the case of a representative chosen
17 by the Administrator that is from a governmental agency,
18 (12) of subsection (b) shall be nonvoting members of the
19 Working Group.

20 (d) DURATION.—

21 (1) IN GENERAL.—Members of the Working
22 Group shall be appointed for the duration of the
23 Working Group.

24 (2) LENGTH OF EXISTENCE.—

1 (A) IN GENERAL.—The Working Group
2 shall have an initial duration of 1 year.

3 (B) OPTIONAL EXTENSION.—The Adminis-
4 trator may extend the duration of the Working
5 Group for an additional period of up to 1 year.

6 (e) CONSIDERATIONS.—In conducting the com-
7 prehensive evaluation under subsection (a), the Working
8 Group shall, at minimum, consider—

9 (1) the benefits or detriments to pilot and air
10 traffic controller situational awareness;

11 (2) to the greatest extent possible, the human
12 factors that would impact pilot and air traffic con-
13 troller situational awareness;

14 (3) to the greatest extent possible, the human
15 factors that would impact pilot and air traffic con-
16 troller focus during critical phases of flight;

17 (4) existing products by other working groups
18 related to human factors in aviation safety;

19 (5) pilot training requirements;

20 (6) air traffic controller training requirements;

21 (7) if any, technological limitations or chal-
22 lenges that would impede aircraft from using the
23 same communications frequency;

24 (8) the potential for overlapping, conflicting,
25 and simultaneous communication transmissions,

1 prior to and after any improvements made as a re-
2 sult of the assessment conducted pursuant to section
3 112;

4 (9) the potential for misdirected communica-
5 tions on crowded frequencies;

6 (10) National Transportation Safety Board rec-
7 ommendations pertaining to miscommunications on
8 crowded frequencies; and

9 (11) solicited feedback from air carriers oper-
10 ating under part 121 and part 135 of title 14, Code
11 of Federal Regulations, and general aviation opera-
12 tors under part 91 of title 14, Code of Federal Reg-
13 ulations.

14 (f) REPORT.—Not later than 6 months after the con-
15 clusion of the Working Group, the Working Group shall
16 submit to the Administrator and the appropriate commit-
17 tees of Congress a report on the findings and rec-
18 ommendations resulting from the activities carried out
19 under this section.

20 (g) IMPLEMENTATION.—Not later than 6 months
21 after receiving recommendations outlined in the report
22 under subsection (f), the Administrator may take such ac-
23 tion, as appropriate, to implement such recommendations.

1 **SEC. 112. ANTI-BLOCKING TECHNOLOGY.**

2 (a) ASSESSMENT.—Not later than 30 days after the
3 date of enactment of this Act, the Administrator shall ini-
4 tiate an assessment on the feasibility and maturity of tech-
5 nology that serves to alert air traffic controllers or flight
6 crews to instances of potentially blocked transmissions
7 when simultaneous broadcasting occurs.

8 (b) CONSIDERATIONS.—In conducting the assess-
9 ment under subsection (a), the Administrator shall, at
10 minimum, consider—

11 (1) technologies currently in use domestically
12 and internationally that alert an air traffic controller
13 or flight crew to instances in which radio trans-
14 missions may have been blocked;

15 (2) the technical standards written for, and as-
16 sociated with, the use of such technologies identified
17 under paragraph (1);

18 (3) existing and proposed technologies not in
19 use that could alert an air traffic controller or flight
20 crew to instances in which radio transmissions may
21 have been blocked;

22 (4) the technical standards that would be need-
23 ed to implement the technologies identified under
24 paragraph (3);

1 (5) the potential benefits and enhanced aware-
2 ness that the adoption of such technologies would
3 provide;

4 (6) the technological limitations associated with
5 such technologies;

6 (7) air traffic controller training requirements;

7 (8) the effort of the FAA to modernize the air
8 traffic control system, including timelines, the incor-
9 poration of new technologies, and planned training;
10 and

11 (9) any benefits and detriments to air traffic
12 controller situational awareness, including avail-
13 ability of information, nuisance alerts, and human
14 factors.

15 (c) CONSULTATION.—In conducting the assessment
16 under subsection (a), the Administrator shall consult with
17 stakeholders or standards organizations, including—

18 (1) the exclusive bargaining representatives of
19 air traffic controllers certified under section 7111 of
20 title 5, United States Code;

21 (2) the organization representing air traffic
22 control operational supervisors and managers;

23 (3) the certified bargaining representative of
24 aviation safety inspectors and engineers for the
25 FAA;

1 (4) an organization representing manufacturers
2 of air traffic management systems, equipment and
3 technologies;

4 (5) an organization representing helicopter
5 aviation operators and pilots;

6 (6) an organization representing general avia-
7 tion operators and pilots; and

8 (7) any other organization or agency the Ad-
9 ministrator determines appropriate.

10 (d) REPORT.—Not later than 1 year after the date
11 of enactment of this Act, the Administrator shall submit
12 to the appropriate committees of Congress a report on the
13 results of the assessment under subsection (a) that in-
14 cludes—

15 (1) a list of technologies identified by the Ad-
16 ministrator serving the purpose described in sub-
17 section (a);

18 (2) a list of technologies the Administrator pro-
19 poses that could serve the purpose described in sub-
20 section (a); and

21 (3) a plan to implement the technologies listed
22 under paragraphs (1) and (2), including—

23 (A) the scope of potential upgrades;

24 (B) predicted costs;

25 (C) a projected timeline; and

1 (D) how the potential upgrades to facilities
2 and equipment within the scope of subpara-
3 graph (A) would be prioritized.

4 **SEC. 113. TASK FORCE TO IDENTIFY IMPROVEMENTS TO**
5 **AIR TRAFFIC CONTROLLER CONFLICT ALERT**
6 **SYSTEM.**

7 (a) IN GENERAL.—Not later than 3 months after the
8 date of enactment of this Act, the Administrator shall con-
9 vene a task force (in this section referred to as the “Task
10 Force”) to develop a framework detailing the priorities,
11 goals, timeline, and recommendations to implement im-
12 provements to the conflict alert system to provide more
13 salient and meaningful alerts to air traffic controllers
14 based on the severity of the conflict triggering the alert.

15 (b) MEMBERS.—The Task Force convened under
16 subsection (a) shall be comprised of representatives of—

17 (1) the exclusive bargaining representatives of
18 air traffic controllers certified under section 7111 of
19 title 5, United States Code;

20 (2) the organization representing air traffic
21 control operational supervisors and managers;

22 (3) the organization representing operators
23 under the Contract Tower Program established
24 under section 47124 of title 49, United States Code;

1 (4) the certified bargaining representative of
2 aviation safety inspectors and engineers for the
3 FAA;

4 (5) individuals with expertise in an operational
5 or academic discipline that is relevant to the analysis
6 of human factors in aviation, which may include air
7 carrier operations, line pilot expertise, air traffic
8 control, linguistics, human-machine integration, gen-
9 eral aviation operations, and organizational behavior
10 and culture;

11 (6) the FAA, including the Air Traffic Organi-
12 zation and the Office of Finance and Management,
13 provided such representative has expertise on equip-
14 ment procurement; and

15 (7) other organizations or agencies as deter-
16 mined necessary by the Administrator.

17 (c) VOTING.—The members described in paragraphs
18 (3), (6), and, in the case of a representative chosen by
19 the Administrator that is from a governmental agency, (7)
20 of subsection (b) shall be nonvoting members of the Task
21 Force.

22 (d) DURATION.—

23 (1) IN GENERAL.—Members of the Task Force
24 shall be appointed for the duration of the Task
25 Force.

1 (2) LENGTH OF EXISTENCE.—

2 (A) IN GENERAL.—The Task Force shall
3 have an initial duration of 1 year.

4 (B) OPTIONAL EXTENSION.—The Adminis-
5 trator may extend the duration of the Task
6 Force for an additional period of up to 6
7 months.

8 (e) CONSIDERATIONS.—In developing the framework
9 under subsection (a), the Task Force shall, at minimum,
10 consider—

11 (1) the benefits and detriments to air traffic
12 controller situational awareness, including avail-
13 ability of information, nuisance alerts, and human
14 factors;

15 (2) opportunities and challenges of consoli-
16 dating numerous systems and underlying data
17 sources into a single display, including through the
18 deployment of the Enterprise-Information Display
19 System;

20 (3) existing products by other working groups
21 related to human factors in aviation safety;

22 (4) air traffic controller training requirements;

23 (5) advances in available technology not being
24 utilized as of the date on which the Task Force is
25 convened;

1 (6) technological limitations;

2 (7) National Transportation Safety Board rec-
3 ommendations pertaining to air traffic controller
4 alerts, distractions, and loss of focus;

5 (8) the effort of the FAA to modernize the air
6 traffic control system, including timelines, new tech-
7 nologies being incorporated, and planned training;
8 and

9 (9) solicited feedback from equipment manufac-
10 turers and entities involved with the air traffic con-
11 trol modernization effort of the Administrator.

12 (f) REPORT.—Not later than 4 months after the con-
13 clusion of the Task Force, the Task Force shall submit
14 to the Administrator and the appropriate committees of
15 Congress a report that includes the framework developed
16 as a result of the activities carried out under subsection
17 (a).

18 (g) IMPLEMENTATION PLAN.—

19 (1) IN GENERAL.—Not later than 8 months
20 after receiving the framework outlined in the report
21 under subsection (f), the Administrator shall finalize
22 and submit to the appropriate committees of Con-
23 gress a plan (in this section referred to as the
24 “Plan”) to implement such framework.

1 (2) CONTENTS.—Such Plan shall include, as
2 appropriate—

3 (A) specific training requirements for air
4 traffic controllers, as detailed in—

5 (i) FAA Order JO 3120.4S, titled
6 “Air Traffic Technical Training”, issued
7 on August 28, 2024;

8 (ii) FAA Order JO 7210.3EE, titled
9 “Facility Operation and Administration”,
10 issued on February 20, 2025; and

11 (iii) any successor or other relevant
12 documents or guidance; and

13 (B) a publicly available prioritized list of
14 airports enumerating the order in which they
15 will receive such upgrades.

16 (3) TIME LIMIT.—The Plan may not contain a
17 timeline of implementation that exceeds 2 years.

18 (4) COMMENCEMENT.—The Administrator shall
19 immediately begin implementing the Plan upon the
20 submission of such Plan under paragraph (1) to the
21 appropriate committees of Congress.

22 (h) BRIEFINGS TO CONGRESS.—Not later than 6
23 months after the submission of the Plan to Congress
24 under subsection (g)(1), and every 6 months thereafter
25 until the full implementation of the Plan, the Adminis-

1 trator shall brief the appropriate committees of Congress
2 on the progress of implementation.

3 **SEC. 114. POSTACCIDENT AND POSTINCIDENT DRUG AND**
4 **ALCOHOL TESTING.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Administrator shall re-
7 view and revise, as appropriate, the initial event response
8 procedures of the Air Traffic Organization to ensure an
9 appropriate on-site supervisor makes each postaccident
10 and postincident drug and alcohol testing determination
11 in a timely manner.

12 (b) REQUIREMENTS.—In reviewing and revising the
13 procedures described under subsection (a), the Adminis-
14 trator shall—

15 (1) require such procedures to be based on an
16 on-site supervisor’s assessment, without needing to
17 wait for investigation or approval, of—

18 (A) whether the event meets testing cri-
19 teria; and

20 (B) which air traffic controllers had duties
21 pertaining to the involved aircraft;

22 (2) evaluate guidance, regulations, and policies
23 regarding the postaccident and postincident drug
24 and alcohol testing prior to the date of enactment of
25 this Act; and

1 (3) consult with representatives of—

2 (A) the exclusive bargaining representative
3 of air traffic controllers certified under section
4 7111 of title 5, United States Code;

5 (B) organizations representing air traffic
6 control managers and operational supervisors;
7 and

8 (C) experts with specific knowledge in drug
9 and alcohol testing.

10 (c) TRAINING.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, the Administrator
13 shall develop standards for annual training on the
14 revised postaccident and postincident drug and alco-
15 hol testing determination procedure described in
16 subsection (a) for all staff of the Air Traffic Organi-
17 zation who have responsibilities under such proce-
18 dure.

19 (2) REQUIREMENTS.—The training standards
20 developed under this subsection shall, at a min-
21 imum—

22 (A) include a postlearning knowledge as-
23 sessment; and

1 (B) consider the findings and recommenda-
2 tions of the National Transportation Safety
3 Board.

4 (d) REVIEW.—

5 (1) IN GENERAL.—Not later than 1 year after
6 the date of enactment of this Act, the Administrator
7 shall conduct a review of the ability of each air traf-
8 fic control facility to routinely accomplish the re-
9 quired postaccident and postincident drug and alco-
10 hol testing within the Secretary's specified time-
11 frames of within 2 hours for alcohol testing and
12 within 4 hours for drug testing.

13 (2) REPORT.—Not later than 3 months after
14 the Administrator completes the initial review under
15 paragraph (1), and annually thereafter, the Adminis-
16 trator shall submit to the Secretary of Transpor-
17 tation a report demonstrating such ability of each
18 air traffic control facility.

19 (3) REMEDIATION.—Not later than 3 months
20 after the submission of the report under paragraph
21 (1), the Administrator shall develop and implement
22 a process to ensure that any air traffic control facil-
23 ity without such capability will carry out timely re-
24 mediation.

1 **SEC. 115. HELICOPTER ROUTE CHART ANNUAL REVIEW.**

2 (a) IN GENERAL.—The Administrator shall publish,
3 on a publicly available website of the FAA, the date on
4 which the annual review for each Helicopter Route Chart
5 has been most recently completed, as required pursuant
6 to FAA Order JO 7210.3EE, titled “Facility Operation
7 and Administration” (or any successor document).

8 (b) REPORT.—Not later than December 31, 2026,
9 and December 31 of each year thereafter, the Adminis-
10 trator shall submit to the appropriate committees of Con-
11 gress a report containing, at a minimum, the following in-
12 formation:

13 (1) A summary of changes, if applicable, made
14 to each Helicopter Route Chart, including—

15 (A) changes, additions, or deletions to des-
16 ignated helicopter routes;

17 (B) changes in instrument flight rules
18 routes;

19 (C) additions or deletions of visual check-
20 points; and

21 (D) rationale or safety data to justify any
22 changes described in subparagraphs (A)
23 through (C).

24 (2) The safety risk management documentation
25 completed in accordance with FAA Order JO

1 8040.4C, titled “Safety Risk Management Policy”
2 (or any successor document).

3 (3) An summary of any advanced consultation
4 between the Administrator and impacted helicopter
5 and fixed-wing operators in planning the safety risk
6 management process.

7 (4) A certification that the designated rec-
8 ommended route altitudes and flight ceilings and
9 floors ensure helicopters maintain minimum separa-
10 tion, in accordance with FAA Order 7110.65BB, ti-
11 tled “Air Traffic Control” (or any successor docu-
12 ment), with fixed-wing aircraft operating along air-
13 port approach and departure paths.

14 (c) FAILURE TO SUBMIT.—

15 (1) IN GENERAL.—If the Administrator fails to
16 submit an annual report required under subsection
17 (b) on or before the date on which such report is re-
18 quired to be submitted, the Chief Operating Officer
19 of the Air Traffic Organization shall brief the appro-
20 priate committees of Congress in person not later
21 than 4 weeks after such date.

22 (2) DEADLINE FOR INITIAL OUTREACH AND CO-
23 ORDINATION.—Not later than 4 days after such
24 date, the FAA shall begin initial outreach to and co-
25 ordination with the appropriate committees of Con-

1 gress to arrange and organize logistics of the brief-
2 ing required under paragraph (1).

3 (3) **FORMAT AND TIME OF BRIEFING.**—The
4 briefing required under paragraph (1) shall be in a
5 format and at a time to be determined by such com-
6 mittees.

7 **SEC. 116. FURTHER MODIFICATIONS TO RONALD REAGAN**
8 **WASHINGTON NATIONAL AIRPORT AREA HEL-**
9 **ICOPTER ROUTES.**

10 (a) **IN GENERAL.**—Not later than 90 days after the
11 date of enactment of this Act, the Administrator shall
12 evaluate charted helicopter routes in the vicinity of Ronald
13 Reagan Washington National Airport.

14 (b) **REVISIONS TO DECONFLICT TRAFFIC.**—Upon the
15 completion of each route evaluation under subsection (a),
16 the Administrator shall immediately, as necessary, revise
17 such route to ensure that the route and routes utilized
18 by fixed-wing aircraft—

19 (1) are safely deconflicted physically at all
20 times; or

21 (2) have operating procedures that require posi-
22 tive control from the controller to ensure safe
23 deconfliction during operations.

24 (c) **SAFETY REVIEW REQUIREMENTS.**—In carrying
25 out the route revisions required under subsection (b), the

1 Administrator shall conduct a safety risk management re-
2 view, as necessary, for any helicopter route changes, in
3 accordance with FAA Order 8040.4C, titled “Safety Risk
4 Management Policy” (or any successor document).

5 (d) REPORT.—Not later than 120 days after the Ad-
6 ministrator completes all the evaluations and subsequent
7 route revisions required under this section, the Adminis-
8 trator shall submit to the appropriate committees of Con-
9 gress a report containing—

10 (1) the results of the evaluations required under
11 subsection (a);

12 (2) the route revisions required under sub-
13 section (b), including an explanation for such revi-
14 sions; and

15 (3) the safety risk management review docu-
16 mentation developed as a result of the review con-
17 ducted under subsection (c).

18 **SEC. 117. REQUIRING VERTICAL SEPARATION NEAR AIR-**
19 **PORTS DURING CRITICAL PHASES OF**
20 **FLIGHT.**

21 (a) IN GENERAL.—Except as provided in subsection
22 (b), the Administrator shall ensure that each segment of
23 a helicopter route contains, in the appropriate helicopter
24 route chart, recommended flight altitudes, including alti-
25 tude ceilings and floors, in a manner consistent with FAA

1 Order JO 7210.3EE, titled “Facility Operation and Ad-
2 ministration” (or any successor document).

3 (b) CONSIDERATION OF VERTICAL SEPARATION IN
4 ROUTE CRITERIA.—Not later than 60 days after the date
5 of enactment of this Act, the Administrator shall amend
6 FAA Order JO 7210.3EE, titled “Facility Operation and
7 Administration” (or any successor document), to add min-
8 imum vertical separation requirements to the criteria for
9 the helicopter route chart program.

10 (c) CHARTING MINIMUM SEPARATION NEAR AIR-
11 PORTS.—

12 (1) IN GENERAL.—The Administrator shall en-
13 sure that any helicopter chart that represents an
14 area near an airport clearly conveys to an operator
15 the segments of such helicopter routes in the vicinity
16 of such airport.

17 (2) CONTENT REQUIREMENTS.—At minimum,
18 each such chart shall clearly convey for each of the
19 segments, the recommended flight altitudes, includ-
20 ing altitude ceilings and floors, and any necessary
21 instructions, to ensure minimum separation, in ac-
22 cordance with FAA Order JO 7110.65BB, titled
23 “Air Traffic Control” (or any successor document),
24 between—

1 (A) a helicopter utilizing such segment;
2 and

3 (B) a fixed-wing aircraft operating at or
4 near such airport during critical phases of
5 flight.

6 (d) UPDATE POLICY.—Not later than 90 days after
7 the date of enactment of this Act, the Administrator shall
8 update FAA Order JO 7210.3EE, titled “Facility Oper-
9 ation and Administration” (or any successor document),
10 to account for any additional changes made by this sec-
11 tion.

12 (e) ANNUAL REVIEW.—The Administrator shall en-
13 sure that any changes made to Helicopter Route Charts
14 as a result of this section are assessed on an annual basis
15 as part of the annual review described in section 115.

16 **SEC. 118. VISUAL CHARTS.**

17 (a) STUDY.—Not later than 30 days after the date
18 of enactment of this Act, the Administrator shall initiate
19 a study on incorporating the lateral location and published
20 altitudes of helicopter routes into all instrument and visual
21 approach and departure procedures for airports.

22 (b) CONSULTATION.—In carrying out subsection (a),
23 the Administrator shall consult with relevant stakeholders,
24 including—

25 (1) air carriers;

1 (2) an organization representing helicopter op-
2 erators and pilots;

3 (3) an organization representing general avia-
4 tion operators and pilots;

5 (4) an organization representing business avia-
6 tion operators and pilots;

7 (5) 3 separate organizations representing cer-
8 tified collective bargaining representatives of airline
9 pilots operating under part 121 of title 14, Code of
10 Federal Regulations;

11 (6) the certified exclusive bargaining represent-
12 atives of air traffic controllers certified under section
13 7111 of title 5, United States Code; and

14 (7) an individual that has expertise in an oper-
15 ational or academic discipline that is relevant to the
16 analysis of human factors in aviation, including air
17 carrier operations, line pilot expertise, air traffic
18 control, linguistics, human-machine integration, gen-
19 eral aviation operations, and organizational behavior
20 and culture.

21 (c) CONSIDERATIONS.—In carrying out subsection
22 (a), the Administrator shall consider the—

23 (1) spacing and legibility of information on
24 charts;

1 (2) workload of flight crews at lower altitudes
2 and during critical phases of flight;

3 (3) feasibility and decipherability of layered in-
4 formation on digital charts;

5 (4) current best practices for pilots when land-
6 ing at or departing from airports with high volume
7 helicopter traffic but that do not have charted heli-
8 copter routes; and

9 (5) human factors involved with approach and
10 departure procedures.

11 (d) ADMINISTRATOR ACTION.—Not later than 1 year
12 after initiating the study under subsection (a), the Admin-
13 istrator shall make any revisions necessary to—

14 (1) Terminal Procedures Publications to include
15 charted helicopter routes to provide appropriate situ-
16 ational awareness to fixed-wing operators; and

17 (2) Helicopter Route Charts to include airport
18 approach and departure paths to provide appropriate
19 situational awareness to helicopter operators.

20 (e) CONGRESSIONAL BRIEFING.—If the Adminis-
21 trator makes revisions under subsection (d), the Adminis-
22 trator shall brief the appropriate committees of Congress
23 on such revisions not later than 60 days after making such
24 revisions.

1 **SEC. 119. CLOSE PROXIMITY ENCOUNTERS.**

2 (a) IN GENERAL.—Not later than 60 days after the
3 date of enactment of this Act, the Administrator shall es-
4 tablish a working group to make recommendations on—

5 (1) a definition of close proximity encounters;

6 (2) associated parameters that can be used to
7 monitor the prevalence of such encounters and iden-
8 tify areas of potential traffic conflict for safety as-
9 surance and safety risk management for such en-
10 counters; and

11 (3) making publicly available aggregated infor-
12 mation about such encounters.

13 (b) CONSIDERATIONS.—In carrying out subsection
14 (a), the working group shall consider—

15 (1) existing airborne separation rules and re-
16 quired loss of airborne separation reporting require-
17 ments;

18 (2) the development of a definition of, and asso-
19 ciated parameters for, close proximity encounter
20 events;

21 (3) data gathered from aviation safety reporting
22 systems and reports, including the Aviation Safety
23 Information Analysis and Sharing Program, the
24 Aviation Safety Action Program, the Performance
25 Data Analysis and Reporting System, the Aviation
26 Risk Identification and Assessment (“ARLA”) sys-

1 tem, preliminary ARIA reports, the Air Traffic Safe-
2 ty Action Program, the Aviation Safety Reporting
3 System, the Near Midair Collision System, manda-
4 tory occurrence reports, and other relevant systems
5 and reports;

6 (4) findings and recommendations of the Na-
7 tional Transportation Safety Board, including find-
8 ings and recommendations of the DCA Midair Colli-
9 sion report;

10 (5) FAA risk assessment guidance, policies, and
11 regulations in place prior to the date of enactment
12 of this Act;

13 (6) best practices or similar relevant risk as-
14 sessment tools and methods used by foreign civil
15 aviation authorities; and

16 (7) any other factors determined relevant by
17 the working group.

18 (c) MEMBERSHIP.—The working group shall consist
19 of the following:

20 (1) APPOINTED MEMBERS.—The following
21 members appointed by the Administrator:

22 (A) 2 representatives of the National Aero-
23 nautics and Space Administration with exper-
24 tise in safety data.

1 (B) 5 appropriately qualified representa-
2 tives of aviation labor organizations (designated
3 by the applicable represented organization), in-
4 cluding—

5 (i) organizations representing certified
6 collective bargaining representatives of air-
7 line pilots;

8 (ii) the exclusive bargaining represent-
9 atives of FAA air traffic controllers cer-
10 tified under section 7111 of title 5, United
11 States Code;

12 (iii) organizations representing heli-
13 copter operators and pilots; and

14 (iv) organizations representing general
15 aviation operators and pilots.

16 (C) Not fewer than 5 independent subject
17 matter experts in safety management systems
18 and safety data who—

19 (i) have not served as a political ap-
20 pointee in the Administration; and

21 (ii) have a minimum of 10 years of
22 relevant applied experience.

23 (D) 2 air carrier employees whose job re-
24 sponsibilities include administration of a safety
25 management system.

1 (E) 2 individuals representing holders of a
2 certificate issued under part 21 of title 14,
3 Code of Federal Regulations, whose job respon-
4 sibilities include administration of a safety
5 management system.

6 (F) 2 other representatives from the aero-
7 space industry that do not meet the criteria de-
8 scribed in subparagraph (D) or (E) and who
9 have expertise in safety assurance or safety risk
10 or whose job responsibilities include administra-
11 tion of a safety management system.

12 (2) ADVISORY MEMBERS.—In addition to the
13 appointed members described in paragraph (1), the
14 working group shall be advised by up to 5 employees
15 of the Administration, at least 3 of whom shall be
16 subject matter experts in implementing safety assur-
17 ance and safety risk management.

18 (d) PUBLIC REPORTING.—Not later than 30 days
19 after the working group develops recommendations under
20 subsection (a), the Administrator shall make publicly
21 available a report containing the recommendations and de-
22 scribing how the Administrator intends to implement such
23 recommendations.

1 **SEC. 120. NOTIFICATION OF CLOSE PROXIMITY ENCOUN-**
2 **TERS AND ANALYSIS OF DATA.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of enactment of this Act, the Administrator, in ac-
5 cordance with the mandatory occurrence reporting re-
6 quirements in FAA Order JO 7210.632A, title “Air Traf-
7 fic Organization Occurrence Reporting” (or any successor
8 document) and airborne loss of separation minima in FAA
9 Order JO 7110.65BB, titled “Air Traffic Control” (or any
10 successor document), shall establish a process to—

11 (1) notify parties involved with an airborne loss
12 of separation event of such event; and

13 (2) provide deidentified event data to the Avia-
14 tion Safety Information Analysis and Sharing pro-
15 gram.

16 (b) REQUIREMENTS.—In establishing the process
17 under subsection (a), the Administrator shall—

18 (1) establish a database that tracks the details
19 of airborne loss of separation events;

20 (2) continuously monitor and review such data-
21 base to identify areas of potential traffic conflict for
22 safety assurance and safety risk management;

23 (3) ensure timeliness of notifications to the par-
24 ties described in subsection (a)(1) so that relevant
25 data remains available before meaningful safety

1 analysis, reporting, or corrective action is no longer
2 practicable;

3 (4) consider informing, with deidentified or ag-
4 gregated data, other frequent operators in the air-
5 space of loss of separation events; and

6 (5) consider the practicality and usefulness of
7 notification requirements for—

8 (A) airport surface loss of separation;

9 (B) loss of separation with terrain or ob-
10 stacles;

11 (C) traffic alert and collision avoidance
12 system resolution advisory activations; and

13 (D) any other close proximity encounters
14 as determined by the Administrator.

15 (c) CONSULTATION.—In establishing the process
16 under subsection (a), the Administrator shall consult
17 with—

18 (1) air carriers;

19 (2) helicopter operators;

20 (3) general aviation operators;

21 (4) organizations representing certified collec-
22 tive bargaining representatives of airline pilots;

23 (5) the certified exclusive bargaining represent-
24 atives of air traffic controllers of the Administration

1 certified under section 7111 of title 5, United States
2 Code;

3 (6) FAA subject matter experts, including avia-
4 tion safety inspectors; and

5 (7) other aviation safety experts determined ap-
6 propriate by the Administrator.

7 (d) BRIEFING.—Not later than 30 days after estab-
8 lishing the process required under subsection (a), the Ad-
9 ministrator shall brief the appropriate committees of Con-
10 gress on the implementation of this section.

11 (e) REPORT.—Not later than 1 year after estab-
12 lishing the process required under subsection (a), and an-
13 nually thereafter, the Administrator shall submit to the
14 appropriate committees of Congress a report containing—

15 (1) data on number and location of airborne
16 loss of separation events;

17 (2) the average time of notification to parties
18 involved in such events;

19 (3) identified locations of concern or other
20 trends; and

21 (4) actions taken to mitigate identified risks
22 and reduce such events.

23 **SEC. 121. SAFETY CULTURE REVIEW.**

24 (a) IN GENERAL.—Not later than 30 days after the
25 date of enactment of this Act, the inspector general of the

1 Department of Transportation shall initiate an audit of
2 the safety culture and the safety management system of
3 the Air Traffic Organization.

4 (b) CONSIDERATIONS.—In conducting the audit
5 under subsection (a), the inspector general shall, at a min-
6 imum, evaluate—

7 (1) the safety management system of the Air
8 Traffic Organization, including the functions and
9 data sharing activities of such system at all air traf-
10 fic control facilities;

11 (2) whether such system effectively coordinated
12 safety assurance and safety risk management activi-
13 ties with external stakeholders within the Ronald
14 Reagan Washington National Airport Class B air-
15 space;

16 (3) which data analysis, safety assurance, and
17 risk assessment processes failed to identify and miti-
18 gate the risk of potential midair collisions near Ron-
19 ald Reagan Washington National Airport before
20 January 29, 2025;

21 (4) the failure of the Air Traffic Organization
22 to recognize external compliance verification results
23 as indicators of systemic traffic management, vol-
24 ume, and flow issues at Ronald Reagan Washington

1 National Airport for which air traffic controllers
2 were required to compensate to mitigate such issues;

3 (5) the failure of the Air Traffic Organization
4 to conduct annual reviews of helicopter route charts
5 as required by FAA Order JO 7210.3EE, titled
6 “Facility Operation and Administration”;

7 (6) the failure of the Air Traffic Organization
8 to understand and implement post-accident and
9 post-incident drug and alcohol testing as required by
10 Department of Transportation Order 3910.1D, titled
11 “Drug and Alcohol-Free Departmental Workplace
12 Program”;

13 (7) whether there are fears of retaliation
14 against persons identifying or reporting risks in ac-
15 cordance with the safety management system; and

16 (8) how the Air Traffic Organization has ad-
17 dressed the findings and utilized the Safety Risk
18 Management process in accordance with FAA Order
19 8040.4C, titled “Safety Risk Management Policy”
20 (or any successor document) in the National Air-
21 space System Helicopter Operations Helicopter
22 Route Analysis of the FAA issued in April 2025.

23 (c) REPORT OF THE INSPECTOR GENERAL.—

24 (1) IN GENERAL.—Not later than 1 year after
25 the date of enactment of this Act, the inspector gen-

1 eral shall submit to the appropriate committees of
2 Congress a report on the audit conducted under sub-
3 section (a).

4 (2) RECOMMENDATIONS.—The inspector gen-
5 eral shall include in the report submitted under
6 paragraph (1)—

7 (A) recommendations for actions the Sec-
8 retary should take with respect to the Air Traf-
9 fic Organization to—

10 (i) strengthen and adhere to the te-
11 nets of the safety management system;

12 (ii) increase transparency in the safe-
13 ty management system process, including
14 by adopting policies that provide assur-
15 ances to FAA employees that the Air Traf-
16 fic Organization is addressing any identi-
17 fied safety issues;

18 (iii) increase data sharing and collabo-
19 ration with external stakeholders;

20 (iv) protect against retaliation;

21 (v) encourage open, nonpunitive com-
22 munication; and

23 (vi) foster a just culture across the
24 Air Traffic Organization;

1 (B) recommendations for actions the Sec-
2 retary may take to ensure adequate oversight
3 over the safety management system of the Air
4 Traffic Organization; and

5 (C) any other recommendations the inspec-
6 tor general determines appropriate.

7 (d) RESPONSE TO RECOMMENDATIONS.—Not later
8 than 120 days after submission of the report required
9 under subsection (c)—

10 (1) the Secretary shall respond to any rec-
11 ommendations in such report that are directed at
12 the Department of Transportation or FAA, respec-
13 tively; and

14 (2) the Secretary shall submit to the appro-
15 priate committees of Congress a report describing
16 how the Secretary intends to implement such rec-
17 ommendations.

18 **SEC. 122. DOCUMENTATION OF CONTROL POSITION COM-**
19 **BINATIONS.**

20 (a) IN GENERAL.—Not later than 1 year after the
21 date of enactment of this Act, the Administrator shall re-
22 view and revise, as appropriate, regulations and standard
23 operating procedures regarding the documentation of the
24 combination of air traffic control position responsibilities,
25 including each occurrence in which any air traffic control

1 position is combined with any other position, including a
2 local control position, operations supervisor, or controller-
3 in-charge.

4 (b) REQUIREMENTS.—In reviewing and revising the
5 regulations described in subsection (a), the Administrator
6 shall—

7 (1) evaluate standard operating procedures,
8 guidance, and regulations regarding the combination
9 of controller position responsibilities described in
10 subsection (a) that are in effect prior to the date of
11 enactment of this Act;

12 (2) examine the feasibility of digitizing, or pro-
13 viding an electronic means of, the documentation de-
14 scribed in subsection (a);

15 (3) require the operations supervisor or con-
16 troller-in-charge to periodically review documentation
17 of occurrences of combined control position respon-
18 sibilities described in subsection (a) and submit a ra-
19 tionale for atypical occurrences to the facility air
20 traffic manager;

21 (4) consider air traffic facility type and staffing
22 level; and

23 (5) consult with representatives of—

1 (A) the exclusive bargaining representative
2 of air traffic controllers certified under section
3 7111 of title 5, United States Code;

4 (B) organizations representing air traffic
5 control managers and operational supervisors;
6 and

7 (C) aviation safety experts with specific
8 knowledge in information technology.

9 (c) BRIEFING TO CONGRESS.—Not later than 1 year
10 after the completion of the review required under sub-
11 section (a), the Administrator shall brief the appropriate
12 committees of Congress on implementation of this section.

13 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion may be construed to interfere with any agreement be-
15 tween a governmental entity and the exclusive bargaining
16 representative of air traffic controllers certified under sec-
17 tion 7111 of title 5, United States Code, including require-
18 ments under section 5333(b) of title 49, United States
19 Code, and section 7106(a) of title 5, United States Code.

20 (e) DEFINITIONS.—In this section:

21 (1) CONTROLLER-IN-CHARGE.—The term “con-
22 troller-in-charge” means an air traffic control spe-
23 cialist performing duties of a shift supervisor in ac-
24 cordance with—

1 (A) FAA Order JO 7210.3EE, titled “Fa-
2 cility Operation and Administration”, issued on
3 February 20, 2025; and

4 (B) FAA Order JO 7110.65BB, titled
5 “Air Traffic Control”, issued on February 20,
6 2025.

7 (2) OPERATIONS SUPERVISOR.—The term “op-
8 erations supervisor” means managerial personnel re-
9 sponsible for the direct supervision of air traffic con-
10 trol operational personnel.

11 **SEC. 123. REVIEW OF MILES-IN-TRAIL PROCEDURES OR**
12 **AGREEMENTS.**

13 (a) IN GENERAL.—Not later than 60 days after the
14 date of enactment of this Act, the Administrator shall
15 complete a review of the miles-in-trail standards in FAA
16 Order JO 7210.3EE, titled “Facility Operation and Ad-
17 ministration” (or any successor document) to determine
18 if such standards provide for a separation of traffic that
19 is appropriate for operational safety.

20 (b) CONSIDERATIONS.—In conducting the review
21 under subsection (a), the Administrator may consider—

22 (1) the accuracy of the criteria used to deter-
23 mine the miles-in-trail procedures for air traffic con-
24 trol facilities;

1 (2) whether additional criteria should be incor-
2 porated to more appropriately reflect the traffic vol-
3 ume and operational complexity of air traffic control
4 facilities; and

5 (3) the findings and recommendations of the
6 National Transportation Safety Board.

7 (c) STANDARDS UPDATE.—Upon completion of the
8 review conducted under subsection (a), the Administrator
9 shall update the miles-in-trail standards in FAA Order JO
10 7210.3EE, titled “Facility Operation and Administration”
11 (or any successor document) to ensure such standards are
12 appropriate for operational safety.

13 (d) REVIEW OF CERTAIN FACILITIES.—Not later
14 than 90 days after the completion of the review under sub-
15 section (a), the Administrator shall initiate a review of the
16 miles-in-trail procedures or agreements at all air traffic
17 control facilities located within Class B or Class C airspace
18 to ensure such procedures or agreements provide for a sep-
19 aration of traffic that is appropriate for operational safety.

20 (e) CONSULTATION.—In carrying out the review
21 under subsection (d), the Administrator shall consult with,
22 at minimum—

23 (1) the exclusive bargaining representatives of
24 the air traffic controllers certified under section
25 7111 of title 5, United States Code;

1 (2) organizations representing air traffic control
2 managers and operations supervisors;

3 (3) sponsors and operators of airports with air
4 traffic control facilities described in subsection (d);

5 (4) organizations representing the certified col-
6 lective bargaining representatives of pilots operating
7 under part 121 of title 14, Code of Federal Regula-
8 tions; and

9 (5) air carriers with operations at airports with
10 air traffic control facilities described in subsection
11 (d).

12 (f) REPORT.—Not later than 18 months after the
13 date of enactment of this Act, the Administrator shall sub-
14 mit to the appropriate committees of Congress a report
15 that includes—

16 (1) a list of air traffic control facilities identi-
17 fied under subsection (d) as having miles-in-trail
18 procedures or agreements that did not provide for a
19 separation of aircraft traffic appropriate for oper-
20 ational safety; and

21 (2) steps that the Administrator has taken, or
22 plans to take, to modify the miles-in-trail procedures
23 or agreements at each facility listed under para-
24 graph (1) to ensure such procedures or agreements

1 provide for a separation of traffic that is appropriate
2 for operational safety.

3 **TITLE II—DEPARTMENT OF**
4 **DEFENSE MATTERS**

5 **SEC. 201. DEPARTMENT OF DEFENSE MATTERS RELATING**
6 **TO AVIATION SAFETY.**

7 Title 10, United States Code, is amended by inserting
8 after chapter 157 the following new chapter:

9 **“CHAPTER 158—AVIATION SAFETY**

10 **“§ 2655. Definitions**

11 “In this chapter:

12 “(1) The term ‘appropriate congressional com-
13 mittees’ means the congressional defense commit-
14 tees, the Committee on Transportation and Infra-
15 structure of the House of Representatives, and the
16 Committee on Commerce, Science, and Transpor-
17 tation of the Senate.

18 “(2) The term ‘ADS–B Out’ has the meaning
19 given such term in part 91.227 of title 14, Code of
20 Federal Regulations.

21 “(3) The term ‘air traffic control services’
22 means services used for the monitoring, directing,
23 control, and guidance of aircraft or flows of aircraft
24 and for the safe conduct of flight, including commu-

1 nications, navigation, and surveillance services and
2 the provision of aeronautical information.

3 “(4) The term ‘collision mitigation technology’
4 means equipment that—

5 “(A) receives and processes Automatic De-
6 pendent Surveillance Broadcast transmissions
7 that are broadcast in accordance with parts
8 91.225 and 91.227 of title 14, Code of Federal
9 Regulations, or a successor regulation, and
10 other aviation advisory information from
11 ground stations; and

12 “(B) provides to an aircraft awareness
13 with respect to the location of other aircraft
14 and traffic advisories.

15 “(5) The term ‘Department of Defense aircraft’
16 means any aircraft, either manned or unmanned,
17 that is owned, operated, or controlled by the Depart-
18 ment of Defense or operated pursuant to a contract
19 entered into by the Department of Defense.

20 “(6) The term ‘Joint Safety Council’ means the
21 council established under section 185 of this title.

22 “(7) The term ‘National Capital Region’
23 means—

24 “(A) the geographic area located within
25 the boundaries of—

1 “(i) the District of Columbia;

2 “(ii) Montgomery and Prince Georges
3 Counties in the State of Maryland;

4 “(iii) Arlington, Fairfax, Loudoun,
5 and Prince William Counties and the City
6 of Alexandria in the Commonwealth of Vir-
7 ginia; and

8 “(iv) all cities and other units of gov-
9 ernment within the geographic areas de-
10 scribed in clauses (i) through (iii); or

11 “(B) the geographic area prescribed for
12 such region in the memorandum of agreement
13 required by section 2656 of this title, except
14 that such geographic area may not exceed the
15 boundaries described in clauses (i) through (iv)
16 of subparagraph (A).

17 “(8) The term ‘rotary wing aviation safety
18 management system’—

19 “(A) means training, policies and practices
20 related to aviation safety; and

21 “(B) does not include equipment installed
22 or carried on aircraft for flight operations.

23 “(9) The term ‘sensitive aircraft data’ means—

24 “(A) Department of Defense aircraft infor-
25 mation relating to classified aircraft, aircraft

1 involved in continuity of government operations
2 or nuclear command and control, fighter air-
3 craft, bomber aircraft, or unmanned aircraft
4 systems;

5 “(B) other information which, when pub-
6 licly disclosed in the aggregate, would reveal the
7 capabilities of Department of Defense aircraft
8 that could reasonably be expected to cause seri-
9 ous damage to national security; and

10 “(C) other data identified by the Secretary
11 of Defense as sensitive aircraft data.

12 “(10) The term ‘special mission’ means any
13 mission of the Department of Defense relating to ac-
14 tivities which, if disclosed, could reasonably be ex-
15 pected to cause serious damage to national security,
16 including missions related to national defense, mili-
17 tary operational planning, operational mission re-
18 hearsals, continuity of government operations, nu-
19 clear command and control, homeland security, intel-
20 ligence, or law enforcement purposes, or for which
21 collision mitigation technology, ADS-B Out, or re-
22 lated equipment creates a unique risk as identified
23 by the Secretary of Defense.

1 “(11) The term ‘special mission aircraft’ means
2 a Department of Defense aircraft performing a spe-
3 cial mission, either permanently or temporarily.

4 “(12) The term ‘unmanned aircraft system’ has
5 the meaning given such term in section 44801 of
6 title 49.

7 **“§ 2656. Memorandum of agreement**

8 “(a) MEMORANDUM REQUIRED.—(1) Not later than
9 September 30, 2026, the Secretary of Transportation and
10 the Secretary of Defense shall enter into, and jointly sub-
11 mit to the appropriate congressional committees a copy
12 of, a memorandum of agreement which—

13 “(A) provides that fighter aircraft, bomber air-
14 craft, unmanned aircraft systems, and other special
15 mission aircraft that are not equipped or not yet
16 equipped with collision mitigation technologies or
17 ADS–B Out, or similar technologies, will be reason-
18 ably accommodated for safe operations in the na-
19 tional airspace system and provided with necessary
20 air traffic control services; and

21 “(B) establishes policies governing the oper-
22 ation of collision mitigation technologies and ADS–
23 B Out, or similar technologies, including proper
24 maintenance and routine verification practices for

1 such systems, on Department of Defense aircraft,
2 consistent with this chapter.

3 “(2) The Secretary of Transportation and the Sec-
4 retary of Defense, or their designees, shall consult not less
5 than semiannually on any appropriate updates to the
6 memorandum required under this section to reflect safe,
7 effective, and modern air traffic identification, air space
8 management, and related equipment.

9 “(b) COLLISION AVOIDANCE MATTERS.—(1) The
10 Secretary of Defense shall, in negotiating the memo-
11 randum of agreement required under subsection (a)—

12 “(A) ensure that, beginning on a date agreed to
13 and set forth in such memorandum or the date that
14 is one year after the date of the enactment of this
15 section, whichever occurs first, the Secretary of a
16 military department may not authorize any Depart-
17 ment of Defense manned rotary wing aircraft to op-
18 erate a training mission in the National Capital Re-
19 gion unless such aircraft is actively transmitting an
20 ADS-B Out broadcast, or similar technology, com-
21 patible with the traffic alert and collision avoidance
22 system of commercial aircraft unless—

23 “(i) such requirement is waived by the Sec-
24 retary of a military department; or

1 “(ii) such aircraft is carrying out a sen-
2 sitive mission;

3 “(B) prioritize the use of ADS-B Out, or a
4 similar technology, by Department of Defense
5 manned rotary wing aircraft when operating within
6 a Class B Mode C veil within the United States (as
7 such term is defined in section 1.1 of title 14, Code
8 of Federal Regulations), without impacting the oper-
9 ational security of Department of Defense aircraft
10 or sensitive activities;

11 “(C) consistent with section 2657 of this title,
12 memorialize best practices for ensuring the correct
13 configuration of ADS-B Out and other tran-
14 sponders, including routine intervals for verifying
15 transponder settings and proper operation;

16 “(D) clarify operational procedures regarding
17 flight crew authority to enable ADS-B Out trans-
18 mission in flight, including in response to air traffic
19 or weather conditions; and

20 “(E) protect sensitive aircraft data from unnec-
21 essary disclosure, including by mitigating risks re-
22 garding the inadvertent disclosure of such data or
23 information regarding special missions.

24 “(2) In carrying out this section, the Secretary of De-
25 fense, in consultation with the Secretary of Transpor-

1 tation, shall identify and implement collision mitigation
2 technology in Department of Defense aircraft that are not
3 fighter aircraft, bomber aircraft, unmanned aircraft sys-
4 tems, or other special mission aircraft, by either integrated
5 system or standalone device, to provide traffic information
6 and audible alerts to flight crew while considering—

7 “(A) any need to protect such technology and
8 associated displays or audible alerts against man-
9 made electronic interference;

10 “(B) appropriate mitigations to known security
11 vulnerabilities associated with such technology and
12 associated displays or audible alerts;

13 “(C) appropriate safeguards for sensitive air-
14 craft data, classified material, equipment, or sen-
15 sitive missions when using or carrying electronic de-
16 vices to receive or display collision mitigation tech-
17 nology information or convey audible alerts;

18 “(D) updated guidance, tactics, techniques, pro-
19 cedures, or training related to electromagnetic emis-
20 sions related to such displays or audible alerts; and

21 “(E) placement in flightdeck, field of view of pi-
22 lots, and human factors, to ensure such technology
23 is effective, may be readily used, and has minimal
24 risk of unexpected detachment.

1 “(3) Following the consultation required under para-
2 graph (2), the Secretary of Defense shall ensure that the
3 Secretary of Transportation receives accurate information
4 regarding the configurations recommended by each mili-
5 tary department for each relevant aircraft type while such
6 aircraft operate in the national airspace system.

7 “(4) In implementing the memorandum of agreement
8 required by this section, the Secretary of Defense, or the
9 Secretary of a military department, may exempt from rel-
10 evant portions of such memorandum an individual aircraft
11 on a case-by-case basis if such Secretary determines that
12 the aircraft—

13 “(A) is not airworthy, otherwise unrepairable,
14 or not reasonably expected to return to service; or

15 “(B) for which depot-level maintenance or a
16 substantial overhaul of avionics-related equipment is
17 scheduled to occur prior to December 31, 2030.

18 “(c) NOTIFICATION REQUIREMENT.—The Secretary
19 of Defense shall provide to the Secretary of Transpor-
20 tation notification of any aircraft the Secretary of Defense
21 designates as a special mission aircraft operating within
22 the United States (as such term is defined in section 1.1
23 of title 14, Code of Federal Regulations), for purposes of
24 this chapter. Such notification may identify such aircraft

1 by type, model, series, or another means agreed to in the
2 memorandum of agreement required by subsection (a).

3 “(d) ADS–B CARRIAGE.—In carrying out a memo-
4 randum of agreement pursuant to this section or any other
5 provision of law, in order to protect the operational secu-
6 rity of Department of Defense aircraft, the Secretary of
7 Defense shall retain the sole control over the determina-
8 tion of which specific collision mitigation technology, in-
9 cluding ADS–B implementation, equipment, or related
10 technology, is appropriate for installation and operation
11 in any such aircraft.

12 **“§ 2657. Manned rotary wing aviation safety manage-**
13 **ment system**

14 “(a) IN GENERAL.—The Secretary of Defense and
15 the Joint Safety Council shall ensure that, by not later
16 than March 1, 2027, each military department has a ro-
17 bust manned rotary wing aviation safety management sys-
18 tem. Each such system shall be designed to provide for—

19 “(1) responsibilities that are clearly delineated
20 from other occupational safety responsibilities; and

21 “(2) implementation in a manner that is inte-
22 grated with relevant units.

23 “(b) QUALIFICATION PROTECTIONS.—The Secretary
24 and the Joint Safety Council shall ensure that the imple-
25 mentation of the rotary wing aviation safety management

1 system required under subsection (a) does not preclude an
2 individual assigned manned rotary wing aviation safety
3 management system duties from maintaining appropriate
4 qualifications, flying hours, professional military edu-
5 cation, or other activities required for career advancement
6 on the basis of being assigned such duties.

7 “(c) AVIATOR SURVEY.—The Secretary and the Joint
8 Safety Council shall carry out a survey of helicopter pilots
9 across the Department of Defense to identify operationally
10 relevant and responsive flight safety reporting systems.
11 Such survey shall include the collection of information re-
12 garding—

13 “(1) responsive reporting methods for identi-
14 fying and collecting important safety reporting;

15 “(2) systems for collecting relevant safety re-
16 porting that may be used in conjunction with histor-
17 ical flight data to provide insights that may be used
18 in carrying out section 2659 of this title;

19 “(3) options for reporting safety incidents, in-
20 cluding encounters with civil air traffic operating in
21 the national airspace system without retaliation,
22 judgment, or undue consequence;

23 “(4) preserving reports of persistent issues with
24 communications, either incoming or outgoing, with

1 air traffic controllers or other aircraft in controlled
2 airspace; and

3 “(5) integrating improved flight safety report-
4 ing into current operations.

5 “(d) REPORT.—Not later than 90 days after the com-
6 pletion of the survey required by subsection (c), the Sec-
7 retary and the Joint Safety Council shall submit to the
8 congressional defense committees a report containing—

9 “(1) an outline of the resources, both funding
10 and personnel, required to implement appropriate
11 findings and requirements of this section with re-
12 spect to each military department;

13 “(2) an assessment of which military depart-
14 ment practices most closely align with the best prac-
15 ticable solutions identified pursuant to this section;
16 and

17 “(3) a plan to implement such findings and re-
18 quirements.

19 “(e) AUTHORITY OF JOINT SAFETY COUNCIL.—The
20 Joint Safety Council shall carry out the requirements
21 under this section in a manner consistent with section 185
22 of this title.

1 **“§ 2658. Initial and recurring training on highly con-**
2 **gested airspace**

3 “(a) REQUIRED TRAINING.—The Secretary of De-
4 fense shall ensure that, by not later than March 1, 2027,
5 the flight crews for Department of Defense manned rotary
6 wing aircraft operating within the national airspace sys-
7 tem receive appropriate initial and recurring training re-
8 garding fixed-wing operations in Class B airspace rou-
9 tinely encountered in the course of operations from the
10 assigned duty station of the flight crew. Such training
11 shall include training on approach and departure paths,
12 runway configurations, and the interaction of those traffic
13 flows with published helicopter routes.

14 “(b) USE OF HISTORICAL FLIGHT DATA.—In devel-
15 oping the training described in subsection (a), the Sec-
16 retary shall consider historical flight data from Depart-
17 ment of Defense manned rotary wing aircraft operating
18 in the associated airspace.

19 “(c) REPORT.—Not later than March 1, 2027, the
20 Secretary shall submit to the congressional defense com-
21 mittees a report containing a description of how each mili-
22 tary department has implemented the training require-
23 ments under subsection (a) and how the Secretary has en-
24 sured consistency with respect to such implementation
25 across the military departments.

1 **“§ 2659. Flight data monitoring improvements**

2 “(a) IN GENERAL.—The Secretary of Defense, in co-
3 ordination with the Administrator of the Federal Aviation
4 Administration, shall develop and implement standards
5 across the military departments to ensure that Depart-
6 ment of Defense manned rotary wing aircraft operations
7 in the national airspace system, and associated training,
8 routes, and activities, are informed by accurate recorded
9 flight data to identify operational patterns, and improve
10 pre-flight planning for missions within the national air-
11 space system.

12 “(b) DATA USE.—In carrying out subsection (a), the
13 Secretary shall—

14 “(1) seek to use—

15 “(A) existing data sets and tools to allow
16 for convenient and expeditious use of such data
17 at the lowest possible level; and

18 “(B) systems that allow for flight data to
19 be evaluated for accuracy on a recurrent basis;
20 and

21 “(2) consistent with subsection (f), conduct a
22 review and establish procedures to share non-sen-
23 sitive flight data with the Administrator of the Fed-
24 eral Aviation Administration and other relevant
25 flight safety actors.

1 “(c) COMMUNICATIONS DEGRADATION.—In carrying
2 out subsection (a), the Secretary of Defense shall collect
3 observations, data, and references regarding the degrada-
4 tion of radio transmission or reception between Depart-
5 ment of Defense manned rotary wing aircraft and air traf-
6 fic controllers or other aircraft and identify factors that
7 may contribute to such degradation and possible remedi-
8 ation.

9 “(d) BAROMETRIC ALTIMETERS.—In carrying out
10 subsection (a), the Secretary of Defense shall—

11 “(1) promptly update appropriate manuals for
12 Department of Defense manned rotary wing aircraft
13 to provide clear guidance regarding—

14 “(A) the expected standard margin of
15 error for barometric altimeters for each class of
16 aircraft; and

17 “(B) the total potential error created by
18 additional aircraft equipment on an otherwise
19 airworthy barometric altimeter, including in-
20 creased position error associated with the exter-
21 nal stores support system configuration; and

22 “(2) incorporate observations derived from
23 other data sources, including historical flight data
24 monitoring from external sources, to better under-

1 stand total potential error of barometric altimeters
2 in different aircraft configurations.

3 “(e) IMPLEMENTATION REPORTING.—The Secretary
4 shall provide to the congressional defense committees up-
5 dates on—

6 “(1) the implementation of this section; and

7 “(2) the incorporation of the standards devel-
8 oped and data collected pursuant to this section into
9 the manned rotary wing aviation safety management
10 systems required under section 2657 of this title, to
11 provide robust support to such systems.

12 “(f) DATA SHARING.—(1) The Secretary of Defense
13 shall—

14 “(A) conduct a review across the military de-
15 partments to identify flight data that may be readily
16 shared with the Secretary of Transportation; and

17 “(B) implement a process to share safety data
18 with the Secretary of Transportation.

19 “(2) To the extent the Secretary of Defense deter-
20 mines necessary, data shared pursuant to paragraph (1)
21 may be de-identified.

22 **“§ 2660. Rule of construction**

23 “Nothing in this chapter shall be construed to—

24 “(1) vest in the Secretary of Defense any au-
25 thority of the Secretary of Transportation or the Ad-

1 administrator of the Federal Aviation Administration
2 under title 49 or any other provision of law;

3 “(2) vest in the Secretary of Transportation or
4 the Administrator of the Federal Aviation Adminis-
5 tration any authority of the Secretary of Defense
6 under this title or any other provision of law;

7 “(3) limit the authority or discretion of the Sec-
8 retary of Transportation or the Administrator of the
9 Federal Aviation Administration to operate air traf-
10 fic control services to ensure the safe minimum sepa-
11 ration of aircraft in flight and the efficient use of
12 airspace;

13 “(4) apply a rule, guidance, plan, carriage re-
14 quirement, or memorandum created, modified, or re-
15 issued pursuant to any other provision of law to any
16 Department of Defense aircraft except through a
17 process established in the memorandum of agree-
18 ment required under section 2656 of this title; or

19 “(5) require a Department of Defense aircraft
20 to compromise operational security during a combat
21 operation.”.

22 **SEC. 202. TREATMENT OF SUPERCEDED MEMORANDUM OF**
23 **AGREEMENT AND PROVISION OF LAW.**

24 Effective on the date on which the memorandum of
25 agreement required by section 2656 of title 10, United

1 States Code, as added by section 201 of this title, is sub-
2 mitted to the congressional defense committees, the Com-
3 mittee on Transportation and Infrastructure of the House
4 of Representatives, and the Committee on Commerce,
5 Science, and Transportation of the Senate, the following
6 shall have no further force or effect:

7 (1) Section 1046 of the John S. McCain Na-
8 tional Defense Authorization Act for Fiscal Year
9 2019 (Public Law 115–232; 49 U.S.C. 40101 note).

10 (2) The memorandum of agreement between
11 the Department of Defense and the Federal Aviation
12 Administration entered into on May 10, 2024.

13 **SEC. 203. MANNED ROTARY WING AIRCRAFT SAFETY.**

14 Section 2654 of title 10, United States Code, is re-
15 pealed.

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