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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

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

Mr. GRAVES (for himself, Mr. LARSEN of Washington, Mr. ROGERS of Alabama, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on _____

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

TITLE I—CIVIL AVIATION MATTERS

SEC. 101. AIRBORNE COLLISION AVOIDANCE SYSTEM XA INHIBIT ALTITUDE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall complete an evaluation of the feasibility of decreasing the traffic advisory and resolution advisory inhibit altitudes in Airborne Collision Avoidance System Xa (hereinafter referred to as ''ACAS-Xa'') to enable improved alerting throughout more of the flight maneuvering envelope of an aircraft than is required under the RTCA minimum oper-

ational performance standards for the Airborne Collision Avoidance System (DO–385A, issued June 22, 2023).

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

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

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

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

(4) Regional air carriers.

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

(6) Cargo air carriers.

(7) Transport category aircraft manufacturers.

(8) General aviation aircraft manufactures.

(9) Avionics manufacturers.

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

(11) Organizations representing certified collective bargaining representatives of airline pilots.

(12) The certified bargaining representative of aviation safety inspectors and engineers for the Federal Aviation Administration.

(13) Aviation safety experts with specific knowledge of human factors or human factors experts with specific knowledge of aviation safety.

(14) Any other stakeholders the Administrator determines appropriate.

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

(1) to the greatest extent possible, human factors, including products by working groups related to human factors in aviation safety;

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

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

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

(5) pilot training requirements;

(6) air traffic controller training requirements; and

(7) whether there is potential for overlapping, conflicting, and simultaneous alerts.

SEC. 102. AIRBORNE COLLISION AVOIDANCE SYSTEM UPGRADES.

(a) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, the Administrator shall establish an aviation rulemaking committee (in this section referred to as the ''Committee'') to review and develop findings and recommendations to require aircraft that are selected aircraft to be equipped with ACAS-Xa.

(b) COMPOSITION.—The Committee shall consist of members appointed by the Administrator, including representatives of—

(1) air carriers operating under part 121 of title 14, Code of Federal Regulations, including regional air carriers and air carriers with a low-cost or ultra-low-cost business model;

(2) air carriers operating under part 135 of title 14, Code of Federal Regulations;

(3) air carriers operating under part 91 of title 14, Code of Federal Regulations;

(4) business aviation operators;

(5) cargo air carriers;

(6) transport category aircraft manufacturers;

(7) general aviation aircraft manufactures;

(8) avionics manufacturers;

(9) supplemental type certificate holders;

(10) modification service providers;

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

(12) the certified bargaining representative of aviation safety inspectors and engineers for the Federal Aviation Administration;

(13) organizations representing certified collective bargaining representatives of airline pilots;

(14) aviation safety experts with specific knowledge of human factors or human factors experts with specific knowledge of aviation safety; and

(15) any other stakeholders the Administrator determines appropriate.

(c) CONSIDERATIONS.—In developing the findings and recommendations under subsection (a) the Committee shall consider—

(1) the anticipated modifications to the minimum operational performance standards of ACAS-Xa that are required by subsection (e)(1)(B);

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

(3) the anticipated certification deadline for ACAS-Xa given the technical complexity and requisite procedures for approval;

(4) the soonest practicable deadline for equipping newly manufactured selected aircraft;

(5) the soonest practicable deadline to retrofit existing selected aircraft with ACAS-Xa that considers—

(A) the feasibility of using the Line Replaceable Units of existing collision avoidance systems in such aircraft;

(B) the feasibility of using existing antennas of existing collisions avoidance systems in such aircraft; and

(C) the commercial availability of all necessary components associated with ACAS-Xa;

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

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

(8) any other considerations the Committee determines appropriate.

(d) REPORT.—Not later than 1 year after the date of establishment of the Committee, the Committee shall submit to the Administrator and the appropriate committees of Congress a report containing the findings and recommendations of the Committee.

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

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

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

(B) modify the minimum operational performance standards for ACAS-Xa, to include—

(i) traffic advisory aural alerts to include clock position, relative altitude, range and vertical tendency; and

(ii) the integration of directional traffic symbols.

(2) CONTENTS.—The notice of proposed rulemaking described in paragraph (1)(A) shall include, at a minimum—

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

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

(C) a deadline for any newly manufactured selected aircraft to be equipped with ACAS-Xa,

based on the findings and recommendations developed pursuant to subsection (b)(1); and

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

(3) FINAL RULE.—Not later than 1 year after the issuance of the notice of proposed rulemaking required under paragraph (1)(A), the Administrator shall issue a final rule to carry out the requirements of this section.

(f) SELECTED AIRCRAFT DEFINED.—In this section, the term ''selected aircraft'' means aircraft that are required to be equipped with traffic alert and collision avoidance systems as required in part 121.356 of title 14, Code of Federal Regulations, and part 135.180 of such title.

SEC. 103. AIRBORNE COLLISION AVOIDANCE SYSTEMS FOR ROTORCRAFT.

(a) IN GENERAL.—Not later than December 31, 2026, the Administrator shall take necessary action to work with the appropriate standards setting organization to develop, finalize, and publish minimum operational performance standards for the collision avoidance system know as ''Airborne Collision Avoidance System Xr'' (in this section referred to as ''ACAS-Xr'').

(b) ACAS-XR AVIATION RULEMAKING COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 30 days after the date on which the appropriate standards setting organization publishes minimal operational performance standards for ACAS-Xr under subsection (a), the Administrator shall establish an aviation rulemaking committee (in this section referred to as the ''Committee'') to review and develop findings and recommendations to require selected rotorcraft be equipped with ACAS-Xr.

(2) COMPOSITION.—The Committee shall consist of members appointed by the Administrator, including representatives of—

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

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

(C) rotorcraft manufacturers;

(D) an organization representing rotorcraft operators and pilots;

(E) general aviation aircraft manufacturers;

(F) avionics manufacturers;

(G) supplemental type certificate holders;

(H) modification service providers;

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

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

(K) aviation safety experts with specific knowledge of human factors or human factors experts with specific knowledge of aviation safety; and

(L) any other stakeholders the Administrator determines appropriate.

(3) CONSIDERATIONS.—In developing the findings and recommendations required under paragraph (1), the Committee shall consider—

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

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

(C) a projected deadline for equipping newly manufactured selected rotorcraft the

commercial availability of the necessary components associated with ACAS-Xr that considers—

(i) the anticipated timeline needed for the FAA to approve the installation of ACAS-Xr on various rotorcraft or for various operations; and

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

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

(i) the feasibility of using existing antennas of existing collision mitigation systems equipped in such rotorcraft;

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

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

(E) actions that the Administrator can take to prioritize the certification and installation of ACAS-Xr;

(F) related training for air traffic controllers, pilots, and others; and

(G) any other considerations the Committee determines appropriate.

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

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

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

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

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

(i) traffic advisory aural alerts to include clock position, relative altitude, range and vertical tendency; and

(ii) the integration of directional traffic symbols.

(2) CONTENTS.—The notice of proposed rulemaking required under paragraph (1)(A) shall include, at a minimum—

(A) appropriate guidance for the certification of ACAS-Xr systems;

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

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

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

(3) FINAL RULE.—Not later than 18 months after the issuance of a notice of proposed rulemaking under paragraph (1)(A), the Administrator shall issue a final rule associated with such proposed rulemaking.

(d) SELECTED ROTORCRAFT.—In this section, the term ''selected rotorcraft'' means a civil rotorcraft operating in Class B airspace.

SEC. 104. COLLISION MITIGATION SYSTEMS.

(a) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, the Administrator shall initiate a negotiated rulemaking proceeding to require covered aircraft to be equipped with collision mitigation technology.

(b) COMPOSITION.—The committee convened for the negotiated rulemaking described in subsection (a) (in this section referred to as the ''Committee'') shall include participation from representatives of the following:

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

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

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

(4) Organizations representing helicopter aviation operators and pilots.

(5) Organizations representing the general aviation community.

(6) Organizations representing business aviation operators.

(7) Organizations representing experimental aircraft operators.

(8) Transport category aircraft manufacturers.

(9) General aviation aircraft manufactures.

(10) Rotorcraft manufacturers.

(11) Avionics manufacturers.

(12) Supplemental type certificate holders.

(13) Aircraft modification service providers.

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

(15) Certified bargaining representative of aviation safety inspectors and engineers for the FAA.

(16) Not less than 3 organizations representing certified collective bargaining representatives of airline pilots operating under part 121 of title 14, Code of Federal Regulations.

(17) Aviation safety experts with specific knowledge of human factors or human factors experts with specific knowledge of aviation safety.

(c) CONSIDERATIONS.—In the negotiated rulemaking required under this section, the Committee shall consider—

(1) relevant collision avoidance technology regulation, guidance, and policies;

(2) available and projected software that can predict aircraft movements based on data from Automatic Dependent Surveillance–Broadcast (in

this section referred to as ''ADS–B''), Mode S, Mode C, or other transponders;

(3) the necessity of 2 independently verified data sources to activate traffic resolution advisories that require compliance by flight crews to maneuver a covered aircraft regardless of air traffic control instructions;

(4) the margin of error and accuracy of technologies listed in paragraph (2);

(5) the ways in which collision mitigation technologies can further the accuracy and efficacy of surface surveillance technologies;

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

(7) the effort of the Administrator to modernize the air traffic control system, including timelines, technologies being incorporated, and planned trainings;

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

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

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

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

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

(13) ongoing rulemakings required under section 102 and section 103 of this Act;

(14) the use of existing air traffic control deviation authorization tools to implement the requirement in subsection (j)(1)(B);

(15) the requirements for the final rule as specified in subsection (f); and

(16) any other considerations the Administrator determines appropriate.

(d) DEADLINE FOR COMMITTEE DELIBERATION.—Not later than 18 months after the initiation of the rulemaking proceeding under subsection (a), the Committee shall conclude deliberations and submit to the Administrator and the appropriate committees of Congress—

(1) if the Committee reaches consensus, a report containing the proposed rule and other applicable records as determined by the Committee; or

(2) if the Committee does not reach consensus, any proposed language in which the Committee reached partial consensus, a summary of issues preventing total consensus, and any other information, recommendations, or materials created during deliberations.

(e) PROPOSED RULE AND CONGRESSIONAL BRIEFING.—Not later than 30 days after receiving the report or information, as applicable, required under subsection (d) from the Committee, the Administrator shall submit a proposed rule to the appropriate committees of Congress and thereafter brief the appropriate committees of Congress on such report or information.

(f) FINAL RULE.—Not later than 2 years after the initiation of the rulemaking proceeding under subsection (a), the Administrator shall issue a final rule to carry out the requirements of this section that incorporates the recommendations from the Committee.

(g) REQUIREMENTS FOR FINAL RULE.—In issuing the final rule required under subsection (f), the Administrator shall—

(1) require that covered aircraft be equipped with technologies capable of receiving ADS–B transmissions (in this section referred to as ''ADS-B In'');

(2) establish performance requirements for equipping collision mitigation technology that, as determined by the Administrator, are appropriate for the covered aircraft and the operations, including the operating environment;

(3) in establishing the performance requirements described in paragraph (2)—

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

(B) consider the field of view of the pilots, human factors, and, if applicable, mounting method of such technology, to ensure that such technology can be readily utilized and has minimal risk of unexpected detachment;

(C) require that covered aircraft equipped with technologies that issue traffic resolution advisories are receiving and integrating into such resolution advisories not less than 2 independently verified data sources; and

(D) consider the utilization of existing antenna locations or the placement of new antenna used to receive and, if applicable, transmit, data used in collision mitigation technology;

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

(5) establish an effective date not later than December 31, 2031, for equipping the covered aircraft with technology described in subsection (a) that reflects various aircraft types, appropriate maintenance cycles, and required updates to appropriate guidance for such technology after certification of such technologies.

(h) ALTERNATIVE MEANS OF COMPLIANCE.—In issuing the final rule required under this section, the Administrator shall allow for an alternative means of compliance that provides an equivalent level of safety—

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

(2) allows for the continued use of any portable or installed collision mitigation technology in use at the time of the effective date established in subsection (g)(5).

(i) ADMINISTRATIVE PROVISION.—The Administrator may designate the Committee in a manner that

would provide the Committee the same dispensation as if the Administrator had designated it as an aviation rule-making committee under section 106(p)(5)(B) of title 49, United States Code.

(j) DEFINITIONS.—In this section:

(1) COVERED AIRCRAFT.—The term ''covered aircraft''—

(A) means—

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

(ii) a civil aircraft, not including aircraft specified in section 91.225(e) of title 14, Code of Federal Regulations, operating in class B and Class C airspace areas and areas designated by section 91.225(d)(3) of title 14, Code of Federal Regulations; and

(B) excludes aircraft manufactured before the date of enactment of this Act that have a limited category special airworthiness certificate or an experimental airworthiness certificate,

provided the pilot of such aircraft is authorized to deviate from the requirements of this section, to operate in the airspace areas described in subparagraph (A)(ii), by air traffic control in the same manner ADS–B Out deviations are approved under section 91.225(g) of title 14, Code of Federal Regulations.

(2) COLLISION MITIGATION TECHNOLOGY.—The term ''collision mitigation technology'' means equipment that receives and process ADS–B transmissions that are broadcast in accordance with part 91.225 and 91.227 of title 14, Code of Federal Regulations, or any successor regulations, and other aviation advisory information from ground stations, that provides the aircraft with awareness to the location of other aircraft and traffic advisories.

SEC. 105. TIME-ON-POSITION PRACTICES.

(a) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—The Administrator and the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, may execute a memorandum of understanding to review the time-on-position practices for operations supervisory personnel.

(2) CONTENTS.—The memorandum of understanding described in paragraph (1) may—

(A) include an evaluation of the time-on-position practices for operations supervisory personnel at the time such memorandum is executed, prioritizing the evaluation of such practices at Ronald Reagan Washington National Airport and other air traffic facilities with high volumes of mixed helicopter and airplane traffic;

(B) provide recommendations for improving such practices for Air Traffic Organization operations supervisory personnel at Ronald Reagan Washington National Airport and other air traffic facilities with high volumes of mixed helicopter and airplane traffic;

(C) consider the operational oversight needs and staffing levels of the air traffic facilities described in the previous subparagraphs; and

(D) include any other items determined appropriate by the parties executing such memorandum.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to interfere with any agreement

between a governmental entity and the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, including requirements under section 7106(a) of title 5, United States Code, section 5333(b) of title 49, United States Code, and section 40122 of title 49, United States Code.

(c) DEFINITIONS.—In this section:

(1) OPERATIONAL OVERSIGHT.—The term ''operational oversight'' means the duty of the individual in charge of the operation to effectively lead and manage the delivery of air traffic services by maintaining intentional engagement, situational awareness, and accountability within the area of supervision.

(2) OPERATIONS SUPERVISORY PERSONNEL.—The term ''operations supervisory personnel'' means managerial personnel responsible for the direct supervision of air traffic control operational personnel.

SEC. 106. CONTROLLER TRAINING WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a working group (in this section referred to as the ''Working Group'') to provide the Administrator with recommendations for revising regulations and standards per-

taining to the initial and recurrent training of air traffic controllers on—

(1) threat and error management; and

(2) tower-applied and pilot-applied visual separation procedures.

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

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

(2) the certified bargaining representative of aviation safety inspectors and engineers for the Administration;

(3) organizations representing certified collective bargaining representatives of airline pilots;

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

(5) airport sponsors and operators;

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

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

(8) aviation safety experts with specific knowledge of—

(A) human factors;

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

(C) visual separation procedures and regulations.

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

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

(2) the requirements of—

(A) FAA Order JO 3120.4S, titled ''Air Traffic Technical Training'', issued on August 28, 2024;

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

(C) FAA Order JO 7110.65BB, titled ''Air Traffic Control'', issued on February 20, 2025; and

(D) other relevant air traffic control standards, guidance, and policies;

(3) whether the frequency of the recurrent training described in subsection (a) should be increased for air traffic controllers in facilities managing high-complexity or high-volume airspace;

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

(5) the appropriate use of tower simulator systems and other advanced training technologies to supplement the recurrent training described in subsection (a), including the use of data analytics from such systems and technologies to individualize instruction;

(6) the use of data analytics to identify systemic gaps in the recurrent training described in subsection (a) and to dynamically enhance training curriculum and techniques;

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

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

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

(e) RULEMAKING.—

(1) PROPOSED RULE.—Not later than 90 days after the submission of the report under subsection

(d), the Administrator shall issue a notice of proposed rulemaking revising standards for the required recurrent training described in subsection (a), as recommended by the Working Group.

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

(3) JUSTIFICATION FOR DECISION RELATED TO RECOMMENDATIONS.—If the Administrator decides not to implement any of the recommendations described in subsection (d), the Administrator shall submit to the appropriate committees of Congress the justification for the decision with respect to each such recommendation.

(f) THREAT AND ERROR MANAGEMENT DEFINED.—In this section, the term ''threat and error management'' has the meaning described in chapter 6 of the Risk Management Handbook (FAA H–8083–2A) or any successor document.

SEC. 107. SAFETY RISK ASSESSMENT TOOL.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall seek to enter into an agreement with a federally-funded research and development center to develop a safety risk as-

sessment tool for use by air traffic controllers to assist in airspace risk identification, mitigation, and operational decision-making.

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

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

(A) identifying safety risks;

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

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

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

(3) findings and recommendations of the—

(A) National Transportation Safety Board;

(B) National Airspace System Safety Review Team; and

(C) frontline manager workload study authorized under section 412 of the FAA Reauthorization Act of 2024 (Public Law 118–63);

(4) air traffic facility type and staffing level;

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

(6) data gathered from aviation safety reporting programs;

(7) best practices or similar relevant risk assessment tools and methods used by foreign civil aviation authorities; and

(8) any other factors determined relevant by the federally-funded research and development center.

(c) CONSULTATION.—To develop the safety risk assessment tool required under subsection (a), the federally-funded research and development center shall consult with—

(1) organizations representing operations supervisors;

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

(3) aviation safety experts with specific knowledge of threat and error management;

(4) aviation safety experts with specific knowledge of human factors; and

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

(d) BRIEFING TO CONGRESS.—Not later than 1 year after entering into the agreement pursuant to subsection (a), the Administrator shall brief the appropriate committees of Congress on the development of the safety risk assessment tool required under this section and recommendations for implementation.

(e) THREAT AND ERROR MANAGEMENT DEFINED.—In this section, the term ''threat and error management'' has the meaning described in chapter 6 of the Risk Management Handbook (FAA H–8083–2A) or any successor document.

SEC. 108. OPERATIONAL RATES AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT.

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

(b) CONSIDERATIONS.—In conducting the assessment described in subsection (a), the Administrator shall consider—

(1) airspace complexity;

(2) airfield limitations;

(3) mixed-fleet operations;

(4) traffic volume;

(5) air carrier scheduling practices;

(6) the operational capacity of such airport;

(7) the current hourly instrument flight rules allocation practice at such airport;

(8) expertise provided by the Air Traffic Organization; and

(9) any other considerations the Administrator determines appropriate.

(c) COMPLETION OF ASSESSMENT.—Not later than 180 days after the Administrator initiates the assessment under subsection (a), the Administrator shall complete and submit to the appropriate committees of Congress such assessment, including any related findings and recommendations.

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

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

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

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

(3) The Metropolitan Washington Airports Authority.

(4) Any other stakeholders the Administrator determines appropriate.

SEC. 109. TIME-BASED FLOW MANAGEMENT.

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

SEC. 110. AIR TRAFFIC CONTROL FACILITY LEVELS.

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

(1) IN GENERAL.—The National Validation Team may review the criteria and procedures used

to assess, determine, and validate the classification level of air traffic control facilities.

(2) CONSIDERATIONS.—To conduct the review required under paragraph (1), the National Validation Team may consider—

(A) the accuracy of the factors and multipliers used to calculate the traffic count index and other related formulas for air traffic control facilities;

(B) whether new relevant factors and multipliers should be incorporated into such formulas to more accurately reflect the complexity of the facility operations; and

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

(3) UPDATE CRITERIA AND PROCEDURES.—Upon completion of the review of criteria and procedures under this subsection, the National Validation Team may revise, as appropriate, such criteria and procedures.

(4) CONFORMING AMENDMENTS TO FAA DOCUMENTS.—In issuing such revised guidance, the National Validation Team may recommend revisions to FAA Order 7210.57, titled "Traffic Counting, Re-

porting, and Processing for Determining Facility Classification Levels'', or any successor document, and corresponding policy or guidance materials to reflect any criteria and procedures revised pursuant to paragraph (3).

(b) REASSESSMENT OF AIR TRAFFIC CONTROL FACILITY LEVELS.—

(1) IN GENERAL.—Upon completion of the review conducted under subsection (a), the National Validation Team shall reassess, taking into account any revisions to criteria and procedures revised under such subsection, the air traffic control facility level at—

(A) the Ronald Reagan Washington National Airport; and

(B) any other air traffic control facilities with high volumes of mixed helicopter and airplane traffic.

(2) REPORT.—Not later than 1 year after completion of the review conducted under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report detailing the findings of the reassessment required under paragraph (1) and recommendations with respect to the classi-

fication level of air traffic control facilities described in such paragraph.

(3) IMPLEMENTATION.—If the National Validation Team determines that a reclassification of the air traffic control facilities described in paragraph (1) to a higher level is appropriate, the National Validation Team may take any such actions as necessary to do so.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to interfere with any agreement between a governmental entity and the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, including requirements under sections 5333(b) and 40122 of title 49, United States Code, and section 7106(a)(1) of title 5, United States Code.

(d) NATIONAL VALIDATION TEAM DEFINED.—In this section, the term ''National Validation Team'' means the joint working group comprised of the FAA and the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, established in May 2011 to administer and assess the agreed-upon calculations, formulas, and standards related to air traffic control facility levels.

SEC. 111. WORKING GROUP TO EVALUATE SHARED FREQUENCY AROUND RONALD REAGAN WASHINGTON NATIONAL AIRPORT.

(a) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Administrator shall convene a working group (in this section referred to as the ''Working Group'') to conduct a comprehensive evaluation of the safety benefits and risks of requiring all aircraft to use the same communications frequency during any period in which helicopter and local air traffic control positions are combined in the Ronald Reagan Washington National Airport air traffic control tower.

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

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

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

(3) 3 separate organizations representing the certified collective bargaining representatives of pilots operating under part 121 of title 14, Code of Federal Regulations;

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

(5) an organization representing business aviation operators and pilots;

(6) an organization representing air carriers operating under part 121 of title 14, United States Code;

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

(8) an individual that has expertise in an operational or academic discipline that is relevant to the analysis of human factors in aviation, which may include air carrier operations, line pilot expertise, air traffic control, linguistics, human-machine integration, general aviation operations, and organizational behavior and culture;

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

(10) the Department of Defense, provided the representative has expertise on Department of Defense flight operations in the area described in subsection (a);

(11) the Coast Guard, provided the representative has expertise on Coast Guard flight operations in the area described in subsection (a); and

(12) other organizations or agencies as determined necessary by the Administrator.

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

(d) DURATION.—

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

(2) LENGTH OF EXISTENCE.—

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

(B) OPTIONAL EXTENSION.—The Administrator may extend the duration of the Working Group for an additional period of up to 1 year.

(e) CONSIDERATIONS.—In conducting the comprehensive evaluation under subsection (a), the Working Group shall, at minimum, consider—

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

(2) to the greatest extent possible, the human factors that would impact pilot and air traffic controller situational awareness;

(3) to the greatest extent possible, the human factors that would impact pilot and air traffic controller focus during critical phases of flight;

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

(5) pilot training requirements;

(6) air traffic controller training requirements;

(7) if any, technological limitations or challenges that would impede aircraft from using the same communications frequency;

(8) the potential for overlapping, conflicting, and simultaneous communication transmissions, prior to and after any improvements made as a result of the assessment conducted pursuant to section 112;

(9) the potential for misdirected communications on crowded frequencies;

(10) National Transportation Safety Board recommendations pertaining to miscommunications on crowded frequencies; and

(11) solicited feedback from air carriers operating under part 121 and part 135 of title 14, Code

of Federal Regulations, and general aviation operators under part 91 of title 14, Code of Federal Regulations.

(f) REPORT.—Not later than 6 months after the conclusion of the Working Group, the Working Group shall submit to the Administrator and the appropriate committees of Congress a report on the findings and recommendations resulting from the activities carried out under this section.

(g) IMPLEMENTATION.—Not later than 6 months after receiving recommendations outlined in the report under subsection (f), the Administrator may take such action, as appropriate, to implement such recommendations.

SEC. 112. ANTI-BLOCKING TECHNOLOGY.

(a) ASSESSMENT.—Not later than 30 days after the date of enactment of this Act, the Administrator shall initiate an assessment on the feasibility and maturity of technology that serves to alert air traffic controllers or flight crews to instances of potentially blocked transmissions when simultaneous broadcasting occurs.

(b) CONSIDERATIONS.—In conducting the assessment under subsection (a), the Administrator shall, at minimum, consider—

(1) technologies currently in use domestically and internationally that alert an air traffic controller

or flight crew to instances in which radio transmissions may have been blocked;

(2) the technical standards written for, and associated with, the use of such technologies identified under paragraph (1);

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

(4) the technical standards that would be needed to implement the technologies identified under paragraph (3);

(5) the potential benefits and enhanced awareness that the adoption of such technologies would provide;

(6) the technological limitations associated with such technologies;

(7) air traffic controller training requirements;

(8) the effort of the FAA to modernize the air traffic control system, including timelines, the incorporation of new technologies, and planned training; and

(9) any benefits and detriments to air traffic controller situational awareness, including avail-

ability of information, nuisance alerts, and human factors.

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

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

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

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

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

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

(6) an organization representing general aviation operators and pilots; and

(7) any other organization or agency the Administrator determines appropriate.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the

results of the assessment under subsection (a) that includes—

(1) a list of technologies identified by the Administrator serving the purpose described in subsection (a);

(2) a list of technologies the Administrator proposes that could serve the purpose described in subsection (a); and

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

(A) the scope of potential upgrades;

(B) predicted costs;

(C) a projected timeline; and

(D) how the potential upgrades to facilities and equipment within the scope of subparagraph (A) would be prioritized.

SEC. 113. TASK FORCE TO IDENTIFY IMPROVEMENTS TO AIR TRAFFIC CONTROLLER CONFLICT ALERT SYSTEM.

(a) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Administrator shall convene a task force (in this section referred to as the ''Task Force'') to develop a framework detailing the priorities, goals, timeline, and recommendations to implement improvements to the conflict alert system to provide more

salient and meaningful alerts to air traffic controllers based on the severity of the conflict triggering the alert.

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

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

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

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

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

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

(6) the FAA, including the Air Traffic Organization and the Office of Finance and Management,

provided such representative has expertise on equipment procurement; and

(7) other organizations or agencies as determined necessary by the Administrator.

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

(d) DURATION.—

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

(2) LENGTH OF EXISTENCE.—

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

(B) OPTIONAL EXTENSION.—The Administrator may extend the duration of the Task Force for an additional period of up to 6 months.

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

(1) the benefits and detriments to air traffic controller situational awareness, including avail-

ability of information, nuisance alerts, and human factors;

(2) opportunities and challenges of consolidating numerous systems and underlying data sources into a single display, including through the deployment of the Enterprise–Information Display System;

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

(4) air traffic controller training requirements;

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

(6) technological limitations;

(7) National Transportation Safety Board recommendations pertaining to air traffic controller alerts, distractions, and loss of focus;

(8) the effort of the FAA to modernize the air traffic control system, including timelines, new technologies being incorporated, and planned training; and

(9) solicited feedback from equipment manufacturers and entities involved with the air traffic control modernization effort of the Administrator.

(f) REPORT.—Not later than 4 months after the conclusion of the Task Force, the Task Force shall submit to the Administrator and the appropriate committees of Congress a report that includes the framework developed as a result of the activities carried out under subsection (a).

(g) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 8 months after receiving the framework outlined in the report under subsection (f), the Administrator shall finalize and submit to the appropriate committees of Congress a plan (in this section referred to as the ''Plan'') to implement such framework.

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

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

(i) FAA Order JO 3120.4S, titled ''Air Traffic Technical Training'', issued on August 28, 2024;

(ii) FAA Order JO 7210.3EE, titled ''Facility Operation and Administration'', issued on February 20, 2025; and

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

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

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

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

(h) BRIEFINGS TO CONGRESS.—Not later than 6 months after the submission of the Plan to Congress under subsection (g)(1), and every 6 months thereafter until the full implementation of the Plan, the Administrator shall brief the appropriate committees of Congress on the progress of implementation.

SEC. 114. POSTACCIDENT AND POSTINCIDENT DRUG AND ALCOHOL TESTING.

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

(b) REQUIREMENTS.—In reviewing and revising the procedures described under subsection (a), the Administrator shall—

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

(A) whether the event meets testing criteria; and

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

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

(3) consult with representatives of—

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

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

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

(c) TRAINING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop standards for annual training on the revised postaccident and postincident drug and alcohol testing determination procedure described in subsection (a) for all staff of the Air Traffic Organization who have responsibilities under such procedure.

(2) REQUIREMENTS.—The training standards developed under this subsection shall, at a minimum—

(A) include a postlearning knowledge assessment; and

(B) consider the findings and recommendations of the National Transportation Safety Board.

(d) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall conduct a review of the ability of each air traffic control facility to routinely accomplish the required postaccident and postincident drug and alcohol testing within the Secretary's specified timeframes of within 2 hours for alcohol testing and within 4 hours for drug testing.

(2) REPORT.—Not later than 3 months after the Administrator completes the initial review under paragraph (1), and annually thereafter, the Administrator shall submit to the Secretary of Transportation a report demonstrating such ability of each air traffic control facility.

(3) REMEDIATION.—Not later than 3 months after the submission of the report under paragraph (1), the Administrator shall develop and implement a process to ensure that any air traffic control facility without such capability will carry out timely remediation.

SEC. 115. HELICOPTER ROUTE CHART ANNUAL REVIEW.

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

(b) REPORT.—Not later than December 31, 2026, and December 31 of each year thereafter, the Administrator shall submit to the appropriate committees of Congress a report containing, at a minimum, the following information:

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

(A) changes, additions, or deletions to designated helicopter routes;

(B) changes in instrument flight rules routes;

(C) additions or deletions of visual checkpoints; and

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

(2) The safety risk management documentation completed in accordance with FAA Order JO 8040.4C, titled ''Safety Risk Management Policy'' (or any successor document).

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

(4) A certification that the designated recommended route altitudes and flight ceilings and floors ensure helicopters maintain minimum separation, in accordance with FAA Order 7110.65BB, titled ''Air Traffic Control'' (or any successor docu-

ment), with fixed-wing aircraft operating along airport approach and departure paths.

(c) FAILURE TO SUBMIT.—

(1) IN GENERAL.—If the Administrator fails to submit an annual report required under subsection (b) on or before the date on which such report is required to be submitted, the Chief Operating Officer of the Air Traffic Organization shall brief the appropriate committees of Congress in person not later than 4 weeks after such date.

(2) DEADLINE FOR INITIAL OUTREACH AND COORDINATION.—Not later than 4 days after such date, the FAA shall begin initial outreach to and coordination with the appropriate committees of Congress to arrange and organize logistics of the briefing required under paragraph (1).

(3) FORMAT AND TIME OF BRIEFING.—The briefing required under paragraph (1) shall be in a format and at a time to be determined by such committees.

SEC. 116. FURTHER MODIFICATIONS TO RONALD REAGAN WASHINGTON NATIONAL AIRPORT AREA HELICOPTER ROUTES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall

evaluate charted helicopter routes in the vicinity of Ronald Reagan Washington National Airport.

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

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

(2) have operating procedures that require positive control from the controller to ensure safe deconfliction during operations.

(c) SAFETY REVIEW REQUIREMENTS.—In carrying out the route revisions required under subsection (b), the Administrator shall conduct a safety risk management review, as necessary, for any helicopter route changes, in accordance with FAA Order 8040.4C, titled ''Safety Risk Management Policy'' (or any successor document).

(d) REPORT.—Not later than 120 days after the Administrator completes all the evaluations and subsequent route revisions required under this section, the Administrator shall submit to the appropriate committees of Congress a report containing—

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

(2) the route revisions required under subsection (b), including an explanation for such revisions; and

(3) the safety risk management review documentation developed as a result of the review conducted under subsection (c).

SEC. 117. REQUIRING VERTICAL SEPARATION NEAR AIRPORTS DURING CRITICAL PHASES OF FLIGHT.

(a) IN GENERAL.—Except as provided in subsection (b), the Administrator shall ensure that each segment of a helicopter route contains, in the appropriate helicopter route chart, recommended flight altitudes, including altitude ceilings and floors, in a manner consistent with FAA Order JO 7210.3EE, titled ''Facility Operation and Administration'' (or any successor document).

(b) CONSIDERATION OF VERTICAL SEPARATION IN ROUTE CRITERIA.—Not later than 60 days after the date of enactment of this Act, the Administrator shall amend FAA Order JO 7210.3EE, titled ''Facility Operation and Administration'' (or any successor document), to add minimum vertical separation requirements to the criteria for the helicopter route chart program.

(c) CHARTING MINIMUM SEPARATION NEAR AIRPORTS.—

(1) IN GENERAL.—The Administrator shall ensure that any helicopter chart that represents an area near an airport clearly conveys to an operator the segments of such helicopter routes in the vicinity of such airport.

(2) CONTENT REQUIREMENTS.—At minimum, each such chart shall clearly convey for each of the segments, the recommended flight altitudes, including altitude ceilings and floors, and any necessary instructions, to ensure minimum separation, in accordance with FAA Order JO 7110.65BB, titled ''Air Traffic Control'' (or any successor document), between—

(A) a helicopter utilizing such segment; and

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

(d) UPDATE POLICY.—Not later than 90 days after the date of enactment of this Act, the Administrator shall update FAA Order JO 7210.3EE, titled ''Facility Operation and Administration'' (or any successor document), to account for any additional changes made by this section.

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

SEC. 118. VISUAL CHARTS.

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

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

(1) air carriers;

(2) an organization representing helicopter operators and pilots;

(3) an organization representing general aviation operators and pilots;

(4) an organization representing business aviation operators and pilots;

(5) 3 separate organizations representing certified collective bargaining representatives of airline pilots operating under part 121 of title 14, Code of Federal Regulations;

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

(7) an individual that has expertise in an operational or academic discipline that is relevant to the analysis of human factors in aviation, including air carrier operations, line pilot expertise, air traffic control, linguistics, human-machine integration, general aviation operations, and organizational behavior and culture.

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

(1) spacing and legibility of information on charts;

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

(3) feasibility and decipherability of layered information on digital charts;

(4) current best practices for pilots when landing at or departing from airports with high volume helicopter traffic but that do not have charted helicopter routes; and

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

(d) ADMINISTRATOR ACTION.—Not later than 1 year after initiating the study under subsection (a), the Administrator shall make any revisions necessary to—

(1) Terminal Procedures Publications to include charted helicopter routes to provide appropriate situational awareness to fixed-wing operators; and

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

(e) CONGRESSIONAL BRIEFING.—If the Administrator makes revisions under subsection (d), the Administrator shall brief the appropriate committees of Congress on such revisions not later than 60 days after making such revisions.

SEC. 119. CLOSE PROXIMITY ENCOUNTERS.

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

(1) a definition of close proximity encounters;

(2) associated parameters that can be used to monitor the prevalence of such encounters and identify areas of potential traffic conflict for safety assurance and safety risk management for such encounters; and

(3) making publicly available aggregated information about such encounters.

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

(1) existing airborne separation rules and required loss of airborne separation reporting requirements;

(2) the development of a definition of, and associated parameters for, close proximity encounter events;

(3) data gathered from aviation safety reporting systems and reports, including the Aviation Safety Information Analysis and Sharing Program, the Aviation Safety Action Program, the Performance Data Analysis and Reporting System, the Aviation Risk Identification and Assessment (''ARIA'') system, preliminary ARIA reports, the Air Traffic Safety Action Program, the Aviation Safety Reporting System, the Near Midair Collision System, mandatory occurrence reports, and other relevant systems and reports;

(4) findings and recommendations of the National Transportation Safety Board, including findings and recommendations of the DCA Midair Collision report;

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

(6) best practices or similar relevant risk assessment tools and methods used by foreign civil aviation authorities; and

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

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

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

(A) 2 representatives of the National Aeronautics and Space Administration with expertise in safety data.

(B) 5 appropriately qualified representatives of aviation labor organizations (designated by the applicable represented organization), including—

(i) organizations representing certified collective bargaining representatives of airline pilots;

(ii) the exclusive bargaining representatives of FAA air traffic controllers cer-

tified under section 7111 of title 5, United States Code;

(iii) organizations representing helicopter operators and pilots; and

(iv) organizations representing general aviation operators and pilots.

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

(i) have not served as a political appointee in the Administration; and

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

(D) 2 air carrier employees whose job responsibilities include administration of a safety management system.

(E) 2 individuals representing holders of a certificate issued under part 21 of title 14, Code of Federal Regulations, whose job responsibilities include administration of a safety management system.

(F) 2 other representatives from the aerospace industry that do not meet the criteria described in subparagraph (D) or (E) and who have expertise in safety assurance or safety risk

or whose job responsibilities include administration of a safety management system.

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

(d) PUBLIC REPORTING.—Not later than 30 days after the working group develops recommendations under subsection (a), the Administrator shall make publicly available a report containing the recommendations and describing how the Administrator intends to implement such recommendations.

SEC. 120. NOTIFICATION OF CLOSE PROXIMITY ENCOUNTERS AND ANALYSIS OF DATA.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in accordance with the mandatory occurrence reporting requirements in FAA Order JO 7210.632A, title ''Air Traffic Organization Occurrence Reporting'' (or any successor document) and airborne loss of separation minima in FAA Order JO 7110.65BB, titled ''Air Traffic Control'' (or any successor document), shall establish a process to—

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

(2) provide deidentified event data to the Aviation Safety Information Analysis and Sharing program.

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

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

(2) continuously monitor and review such database to identify areas of potential traffic conflict for safety assurance and safety risk management;

(3) ensure timeliness of notifications to the parties described in subsection (a)(1) so that relevant data remains available before meaningful safety analysis, reporting, or corrective action is no longer practicable;

(4) consider informing, with deidentified or aggregated data, other frequent operators in the airspace of loss of separation events; and

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

(A) airport surface loss of separation;

(B) loss of separation with terrain or obstacles;

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

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

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

(1) air carriers;

(2) helicopter operators;

(3) general aviation operators;

(4) organizations representing certified collective bargaining representatives of airline pilots;

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

(6) FAA subject matter experts, including aviation safety inspectors; and

(7) other aviation safety experts determined appropriate by the Administrator.

(d) BRIEFING.—Not later than 30 days after establishing the process required under subsection (a), the Administrator shall brief the appropriate committees of Congress on the implementation of this section.

(e) REPORT.—Not later than 1 year after establishing the process required under subsection (a), and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report containing—

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

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

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

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

SEC. 121. SAFETY CULTURE REVIEW.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate an audit of the safety culture and the safety management system of the Air Traffic Organization.

(b) CONSIDERATIONS.—In conducting the audit under subsection (a), the inspector general shall, at a minimum, evaluate—

(1) the safety management system of the Air Traffic Organization, including the functions and data sharing activities of such system at all air traffic control facilities;

(2) whether such system effectively coordinated safety assurance and safety risk management activities with external stakeholders within the Ronald Reagan Washington National Airport Class B airspace;

(3) which data analysis, safety assurance, and risk assessment processes failed to identify and mitigate the risk of potential midair collisions near Ronald Reagan Washington National Airport before January 29, 2025;

(4) the failure of the Air Traffic Organization to recognize external compliance verification results as indicators of systemic traffic management, volume, and flow issues at Ronald Reagan Washington National Airport for which air traffic controllers were required to compensate to mitigate such issues;

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

(6) the failure of the Air Traffic Organization to understand and implement post-accident and post-incident drug and alcohol testing as required by Department of Transportation Order 3910.1D, titled

"Drug and Alcohol-Free Departmental Workplace Program";

(7) whether there are fears of retaliation against persons identifying or reporting risks in accordance with the safety management system; and

(8) how the Air Traffic Organization has addressed the findings and utilized the Safety Risk Management process in accordance with FAA Order 8040.4C, titled "Safety Risk Management Policy" (or any successor document) in the National Airspace System Helicopter Operations Helicopter Route Analysis of the FAA issued in April 2025.

(c) REPORT OF THE INSPECTOR GENERAL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the inspector general shall submit to the appropriate committees of Congress a report on the audit conducted under subsection (a).

(2) RECOMMENDATIONS.—The inspector general shall include in the report submitted under paragraph (1)—

(A) recommendations for actions the Secretary should take with respect to the Air Traffic Organization to—

(i) strengthen and adhere to the tenets of the safety management system;

(ii) increase transparency in the safety management system process, including by adopting policies that provide assurances to FAA employees that the Air Traffic Organization is addressing any identified safety issues;

(iii) increase data sharing and collaboration with external stakeholders;

(iv) protect against retaliation;

(v) encourage open, nonpunitive communication; and

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

(B) recommendations for actions the Secretary may take to ensure adequate oversight over the safety management system of the Air Traffic Organization; and

(C) any other recommendations the inspector general determines appropriate.

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

(1) the Secretary shall respond to any recommendations in such report that are directed at the Department of Transportation or FAA, respectively; and

(2) the Secretary shall submit to the appropriate committees of Congress a report describing how the Secretary intends to implement such recommendations.

SEC. 122. DOCUMENTATION OF CONTROL POSITION COMBINATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall review and revise, as appropriate, regulations and standard operating procedures regarding the documentation of the combination of air traffic control position responsibilities, including each occurrence in which any air traffic control position is combined with any other position, including a local control position, operations supervisor, or controller-in-charge.

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

(1) evaluate standard operating procedures, guidance, and regulations regarding the combination of controller position responsibilities described in

subsection (a) that are in effect prior to the date of enactment of this Act;

(2) examine the feasibility of digitizing, or providing an electronic means of, the documentation described in subsection (a);

(3) require the operations supervisor or controller-in-charge to periodically review documentation of occurrences of combined control position responsibilities described in subsection (a) and submit a rationale for atypical occurrences to the facility air traffic manager;

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

(5) consult with representatives of—

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

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

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

(c) BRIEFING TO CONGRESS.—Not later than 1 year after the completion of the review required under sub-

section (a), the Administrator shall brief the appropriate committees of Congress on implementation of this section.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to interfere with any agreement between a governmental entity and the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, including requirements under section 5333(b) of title 49, United States Code, and section 7106(a) of title 5, United States Code.

(e) DEFINITIONS.—In this section:

(1) CONTROLLER-IN-CHARGE.—The term ''controller-in-charge'' means an air traffic control specialist performing duties of a shift supervisor in accordance with—

(A) FAA Order JO 7210.3EE, titled ''Facility Operation and Administration'', issued on February 20, 2025; and

(B) FAA Order JO 7110.65BB, titled ''Air Traffic Control'', issued on February 20, 2025.

(2) OPERATIONS SUPERVISOR.—The term ''operations supervisor'' means managerial personnel responsible for the direct supervision of air traffic control operational personnel.

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

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

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

(1) the accuracy of the criteria used to determine the miles-in-trail procedures for air traffic control facilities;

(2) whether additional criteria should be incorporated to more appropriately reflect the traffic volume and operational complexity of air traffic control facilities; and

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

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

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

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

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

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

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

(4) organizations representing the certified collective bargaining representatives of pilots operating under part 121 of title 14, Code of Federal Regulations; and

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

(f) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that includes—

(1) a list of air traffic control facilities identified under subsection (d) as having miles-in-trail procedures or agreements that did not provide for a separation of aircraft traffic appropriate for operational safety; and

(2) steps that the Administrator has taken, or plans to take, to modify the miles-in-trail procedures or agreements at each facility listed under paragraph (1) to ensure such procedures or agreements provide for a separation of traffic that is appropriate for operational safety.

TITLE II — DEPARTMENT OF DEFENSE MATTERS

SEC. 201. DEPARTMENT OF DEFENSE MATTERS RELATING TO AVIATION SAFETY.

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

"CHAPTER 158—AVIATION SAFETY

"§ 2655. Definitions

''In this chapter:

''(1) The term 'appropriate congressional committees' means the congressional defense committees, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

''(2) The term 'ADS–B Out' has the meaning given such term in part 91.227 of title 14, Code of Federal Regulations.

''(3) The term 'air traffic control services' means services used for the monitoring, directing, control, and guidance of aircraft or flows of aircraft and for the safe conduct of flight, including communications, navigation, and surveillance services and the provision of aeronautical information.

''(4) The term 'collision mitigation technology' means equipment that—

''(A) receives and processes Automatic Dependent Surveillance Broadcast transmissions that are broadcast in accordance with parts 91.225 and 91.227 of title 14, Code of Federal Regulations, or a successor regulation, and other aviation advisory information from ground stations; and

"(B) provides to an aircraft awareness with respect to the location of other aircraft and traffic advisories.

"(5) The term 'Department of Defense aircraft' means any aircraft, either manned or unmanned, that is owned, operated, or controlled by the Department of Defense or operated pursuant to a contract entered into by the Department of Defense.

"(6) The term 'Joint Safety Council' means the council established under section 185 of this title.

"(7) The term 'National Capital Region' means—

"(A) the geographic area located within the boundaries of—

"(i) the District of Columbia;

"(ii) Montgomery and Prince Georges Counties in the State of Maryland;

"(iii) Arlington, Fairfax, Loudoun, and Prince William Counties and the City of Alexandria in the Commonwealth of Virginia; and

"(iv) all cities and other units of government within the geographic areas described in clauses (i) through (iii); or

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

"(8) The term 'rotary wing aviation safety management system'—

"(A) means training, policies and practices related to aviation safety; and

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

"(9) The term 'sensitive aircraft data' means—

"(A) Department of Defense aircraft information relating to classified aircraft, aircraft involved in continuity of government operations or nuclear command and control, fighter aircraft, bomber aircraft, or unmanned aircraft systems;

"(B) other information which, when publicly disclosed in the aggregate, would reveal the capabilities of Department of Defense aircraft that could reasonably be expected to cause serious damage to national security; and

"(C) other data identified by the Secretary of Defense as sensitive aircraft data.

"(10) The term 'special mission' means any mission of the Department of Defense relating to activities which, if disclosed, could reasonably be expected to cause serious damage to national security, including missions related to national defense, military operational planning, operational mission rehearsals, continuity of government operations, nuclear command and control, homeland security, intelligence, or law enforcement purposes, or for which collision mitigation technology, ADS–B Out, or related equipment creates a unique risk as identified by the Secretary of Defense.

"(11) The term 'special mission aircraft' means a Department of Defense aircraft performing a special mission, either permanently or temporarily.

"(12) The term 'unmanned aircraft system' has the meaning given such term in section 44801 of title 49.

"§ 2656. Memorandum of agreement

"(a) MEMORANDUM REQUIRED.—(1) Not later than September 30, 2026, the Secretary of Transportation and the Secretary of Defense shall enter into, and jointly sub-

mit to the appropriate congressional committees a copy of, a memorandum of agreement which—

''(A) provides that fighter aircraft, bomber aircraft, unmanned aircraft systems, and other special mission aircraft that are not equipped or not yet equipped with collision mitigation technologies or ADS–B Out, or similar technologies, will be reasonably accommodated for safe operations in the national airspace system and provided with necessary air traffic control services; and

''(B) establishes policies governing the operation of collision mitigation technologies and ADS–B Out, or similar technologies, including proper maintenance and routine verification practices for such systems, on Department of Defense aircraft, consistent with this chapter.

''(2) The Secretary of Transportation and the Secretary of Defense, or their designees, shall consult not less than semiannually on any appropriate updates to the memorandum required under this section to reflect safe, effective, and modern air traffic identification, air space management, and related equipment.

''(b) COLLISION AVOIDANCE MATTERS.—(1) The Secretary of Defense shall, in negotiating the memorandum of agreement required under subsection (a)—

''(A) ensure that, beginning on a date agreed to and set forth in such memorandum or the date that is one year after the date of the enactment of this section, whichever occurs first, the Secretary of a military department may not authorize any Department of Defense manned rotary wing aircraft to operate a training mission in the National Capital Region unless such aircraft is actively transmitting an ADS–B Out broadcast, or similar technology, compatible with the traffic alert and collision avoidance system of commercial aircraft unless—

''(i) such requirement is waived by the Secretary of a military department; or

''(ii) such aircraft is carrying out a sensitive mission;

''(B) prioritize the use of ADS–B Out, or a similar technology, by Department of Defense manned rotary wing aircraft when operating within a Class B Mode C veil within the United States (as such term is defined in section 1.1 of title 14, Code of Federal Regulations), without impacting the operational security of Department of Defense aircraft or sensitive activities;

''(C) consistent with section 2657 of this title, memorialize best practices for ensuring the correct

configuration of ADS–B Out and other transponders, including routine intervals for verifying transponder settings and proper operation;

''(D) clarify operational procedures regarding flight crew authority to enable ADS–B Out transmission in flight, including in response to air traffic or weather conditions; and

''(E) protect sensitive aircraft data from unnecessary disclosure, including by mitigating risks regarding the inadvertent disclosure of such data or information regarding special missions.

''(2) In carrying out this section, the Secretary of Defense, in consultation with the Secretary of Transportation, shall identify and implement collision mitigation technology in Department of Defense aircraft that are not fighter aircraft, bomber aircraft, unmanned aircraft systems, or other special mission aircraft, by either integrated system or standalone device, to provide traffic information and audible alerts to flight crew while considering—

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

''(B) appropriate mitigations to known security vulnerabilities associated with such technology and associated displays or audible alerts;

''(C) appropriate safeguards for sensitive aircraft data, classified material, equipment, or sensitive missions when using or carrying electronic devices to receive or display collision mitigation technology information or convey audible alerts;

''(D) updated guidance, tactics, techniques, procedures, or training related to electromagnetic emissions related to such displays or audible alerts; and

''(E) placement in flightdeck, field of view of pilots, and human factors, to ensure such technology is effective, may be readily used, and has minimal risk of unexpected detachment.

''(3) Following the consultation required under paragraph (2), the Secretary of Defense shall ensure that the Secretary of Transportation receives accurate information regarding the configurations recommended by each military department for each relevant aircraft type while such aircraft operate in the national airspace system.

''(4) In implementing the memorandum of agreement required by this section, the Secretary of Defense, or the Secretary of a military department, may exempt from relevant portions of such memorandum an individual aircraft on a case-by-case basis if such Secretary determines that the aircraft—

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

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

"(c) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall provide to the Secretary of Transportation notification of any aircraft the Secretary of Defense designates as a special mission aircraft operating within the United States (as such term is defined in section 1.1 of title 14, Code of Federal Regulations), for purposes of this chapter. Such notification may identify such aircraft by type, model, series, or another means agreed to in the memorandum of agreement required by subsection (a).

"(d) ADS–B CARRIAGE.—In carrying out a memorandum of agreement pursuant to this section or any other provision of law, in order to protect the operational security of Department of Defense aircraft, the Secretary of Defense shall retain the sole control over the determination of which specific collision mitigation technology, including ADS–B implementation, equipment, or related technology, is appropriate for installation and operation in any such aircraft.

"§ 2657. Manned rotary wing aviation safety management system

"(a) IN GENERAL.—The Secretary of Defense and the Joint Safety Council shall ensure that, by not later than March 1, 2027, each military department has a robust manned rotary wing aviation safety management system. Each such system shall be designed to provide for—

"(1) responsibilities that are clearly delineated from other occupational safety responsibilities; and

"(2) implementation in a manner that is integrated with relevant units.

"(b) QUALIFICATION PROTECTIONS.—The Secretary and the Joint Safety Council shall ensure that the implementation of the rotary wing aviation safety management system required under subsection (a) does not preclude an individual assigned manned rotary wing aviation safety management system duties from maintaining appropriate qualifications, flying hours, professional military education, or other activities required for career advancement on the basis of being assigned such duties.

"(c) AVIATOR SURVEY.—The Secretary and the Joint Safety Council shall carry out a survey of helicopter pilots across the Department of Defense to identify operationally relevant and responsive flight safety reporting systems. Such survey shall include the collection of information regarding—

''(1) responsive reporting methods for identifying and collecting important safety reporting;

''(2) systems for collecting relevant safety reporting that may be used in conjunction with historical flight data to provide insights that may be used in carrying out section 2659 of this title;

''(3) options for reporting safety incidents, including encounters with civil air traffic operating in the national airspace system without retaliation, judgment, or undue consequence;

''(4) preserving reports of persistent issues with communications, either incoming or outgoing, with air traffic controllers or other aircraft in controlled airspace; and

''(5) integrating improved flight safety reporting into current operations.

''(d) REPORT.—Not later than 90 days after the completion of the survey required by subsection (c), the Secretary and the Joint Safety Council shall submit to the congressional defense committees a report containing—

''(1) an outline of the resources, both funding and personnel, required to implement appropriate findings and requirements of this section with respect to each military department;

''(2) an assessment of which military department practices most closely align with the best practicable solutions identified pursuant to this section; and

''(3) a plan to implement such findings and requirements.

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

''§ 2658. Initial and recurring training on highly congested airspace

''(a) REQUIRED TRAINING.—The Secretary of Defense shall ensure that, by not later than March 1, 2027, the flight crews for Department of Defense manned rotary wing aircraft operating within the national airspace system receive appropriate initial and recurring training regarding fixed-wing operations in Class B airspace routinely encountered in the course of operations from the assigned duty station of the flight crew. Such training shall include training on approach and departure paths, runway configurations, and the interaction of those traffic flows with published helicopter routes.

''(b) USE OF HISTORICAL FLIGHT DATA.—In developing the training described in subsection (a), the Sec-

retary shall consider historical flight data from Department of Defense manned rotary wing aircraft operating in the associated airspace.

''(c) REPORT.—Not later than March 1, 2027, the Secretary shall submit to the congressional defense committees a report containing a description of how each military department has implemented the training requirements under subsection (a) and how the Secretary has ensured consistency with respect to such implementation across the military departments.

''§ 2659. Flight data monitoring improvements

''(a) IN GENERAL.—The Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, shall develop and implement standards across the military departments to ensure that Department of Defense manned rotary wing aircraft operations in the national airspace system, and associated training, routes, and activities, are informed by accurate recorded flight data to identify operational patterns, and improve pre-flight planning for missions within the national airspace system.

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

''(1) seek to use—

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

"(B) systems that allow for flight data to be evaluated for accuracy on a recurrent basis; and

"(2) consistent with subsection (f), conduct a review and establish procedures to share non-sensitive flight data with the Administrator of the Federal Aviation Administration and other relevant flight safety actors.

"(c) COMMUNICATIONS DEGRADATION.—In carrying out subsection (a), the Secretary of Defense shall collect observations, data, and references regarding the degradation of radio transmission or reception between Department of Defense manned rotary wing aircraft and air traffic controllers or other aircraft and identify factors that may contribute to such degradation and possible remediation.

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

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

"(A) the expected standard margin of error for barometric altimeters for each class of aircraft; and

"(B) the total potential error created by additional aircraft equipment on an otherwise airworthy barometric altimeter, including increased position error associated with the external stores support system configuration; and

"(2) incorporate observations derived from other data sources, including historical flight data monitoring from external sources, to better understand total potential error of barometric altimeters in different aircraft configurations.

"(e) IMPLEMENTATION REPORTING.—The Secretary shall provide to the congressional defense committees updates on—

"(1) the implementation of this section; and

"(2) the incorporation of the standards developed and data collected pursuant to this section into the manned rotary wing aviation safety management systems required under section 2657 of this title, to provide robust support to such systems.

"(f) DATA SHARING.—(1) The Secretary of Defense shall—

''(A) conduct a review across the military departments to identify flight data that may be readily shared with the Secretary of Transportation; and

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

''(2) To the extent the Secretary of Defense determines necessary, data shared pursuant to paragraph (1) may be de-identified.

''§ 2660. Rule of construction

''Nothing in this chapter shall be construed to—

''(1) vest in the Secretary of Defense any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration under title 49 or any other provision of law;

''(2) vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary of Defense under this title or any other provision of law;

''(3) limit the authority or discretion of the Secretary of Transportation or the Administrator of the Federal Aviation Administration to operate air traffic control services to ensure the safe minimum separation of aircraft in flight and the efficient use of airspace;

''(4) apply a rule, guidance, plan, carriage requirement, or memorandum created, modified, or reissued pursuant to any other provision of law to any Department of Defense aircraft except through a process established in the memorandum of agreement required under section 2656 of this title; or

''(5) require a Department of Defense aircraft to compromise operational security during a combat operation.''.

SEC. 202. TREATMENT OF SUPERCEDED MEMORANDUM OF AGREEMENT AND PROVISION OF LAW.

Effective on the date on which the memorandum of agreement required by section 2656 of title 10, United States Code, as added by section 201 of this title, is submitted to the congressional defense committees, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, the following shall have no further force or effect:

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

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

SEC. 203. MANNED ROTARY WING AIRCRAFT SAFETY.

Section 2654 of title 10, United States Code, is repealed.