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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.**

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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.

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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 \_\_\_\_\_

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**A BILL**

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

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

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

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—CIVIL AVIATION MATTERS

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

Sec. 102. Airborne Collision Avoidance System upgrades.

Sec. 103. Airborne collision avoidance systems for rotorcraft.

Sec. 104. Collision mitigation systems.

Sec. 105. Time-on-position practices.

Sec. 106. Controller training working group.

Sec. 107. Safety risk assessment tool.

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

Sec. 109. Time-based flow management.

Sec. 110. Air traffic control facility levels.

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

Sec. 112. Anti-blocking technology.

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

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

Sec. 115. Helicopter Route Chart annual review.

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

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

Sec. 118. Visual charts.

Sec. 119. Close proximity encounters.

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

Sec. 121. Safety culture review.

Sec. 122. Documentation of control position combinations.

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

TITLE II — DEPARTMENT OF DEFENSE MATTERS

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

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

Sec. 203. Manned rotary wing aircraft safety.

**7 SEC. 2. DEFINITIONS.**

8 In this Act:

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

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

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

12          (4) SECRETARY.—The term “Secretary” means  
13          the Secretary of Transportation.

## 14                   **TITLE I—CIVIL AVIATION** 15                   **MATTERS**

### 16   **SEC. 101. AIRBORNE COLLISION AVOIDANCE SYSTEM XA IN-** 17                   **HIBIT ALTITUDE.**

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

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

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

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

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

10 (3) Air carriers operating under part 91 of title  
11 14, Code of Federal Regulations.

12 (4) Regional air carriers.

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

15 (6) Cargo air carriers.

16 (7) Transport category aircraft manufacturers.

17 (8) General aviation aircraft manufactures.

18 (9) Avionics manufacturers.

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

22 (11) Organizations representing certified collec-  
23 tive bargaining representatives of airline pilots.

1           (12) The certified bargaining representative of  
2           aviation safety inspectors and engineers for the Fed-  
3           eral Aviation Administration.

4           (13) Aviation safety experts with specific knowl-  
5           edge of human factors or human factors experts  
6           with specific knowledge of aviation safety.

7           (14) Any other stakeholders the Administrator  
8           determines appropriate.

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

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

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

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

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

20           (5) pilot training requirements;

21           (6) air traffic controller training requirements;

22          and

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

1 **SEC. 102. AIRBORNE COLLISION AVOIDANCE SYSTEM UP-**  
2 **GRADES.**

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

9 (b) COMPOSITION.—The Committee shall consist of  
10 members appointed by the Administrator, including rep-  
11 resentatives of—

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

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

18 (3) air carriers operating under part 91 of title  
19 14, Code of Federal Regulations;

20 (4) business aviation operators;

21 (5) cargo air carriers;

22 (6) transport category aircraft manufacturers;

23 (7) general aviation aircraft manufactures;

24 (8) avionics manufacturers;

25 (9) supplemental type certificate holders;

26 (10) modification service providers;

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

4 (12) the certified bargaining representative of  
5 aviation safety inspectors and engineers for the Fed-  
6 eral Aviation Administration;

7 (13) organizations representing certified collec-  
8 tive bargaining representatives of airline pilots;

9 (14) aviation safety experts with specific knowl-  
10 edge of human factors or human factors experts  
11 with specific knowledge of aviation safety; and

12 (15) any other stakeholders the Administrator  
13 determines appropriate.

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

17 (1) the anticipated modifications to the min-  
18 imum operational performance standards of ACAS-  
19 Xa that are required by subsection (e)(1)(B);

20 (2) the results of the evaluation under section  
21 101;

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

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

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

6                   (A) the feasibility of using the Line Re-  
7                   placeable Units of existing collision avoidance  
8                   systems in such aircraft;

9                   (B) the feasibility of using existing anten-  
10                  nas of existing collisions avoidance systems in  
11                  such aircraft; and

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

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

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

19           (8) any other considerations the Committee de-  
20           termines appropriate.

21           (d) REPORT.—Not later than 1 year after the date  
22           of establishment of the Committee, the Committee shall  
23           submit to the Administrator and the appropriate commit-  
24           tees of Congress a report containing the findings and rec-  
25           ommendations of the Committee.

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

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

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

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

11 (i) traffic advisory aural alerts to in-  
12 clude clock position, relative altitude, range  
13 and vertical tendency; and

14 (ii) the integration of directional traf-  
15 fic symbols.

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

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

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

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

1 based on the findings and recommendations de-  
2 veloped pursuant to subsection (b)(1); and

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

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

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

17 **SEC. 103. AIRBORNE COLLISION AVOIDANCE SYSTEMS FOR**  
18 **ROTORCRAFT.**

19 (a) IN GENERAL.—Not later than December 31,  
20 2026, the Administrator shall take necessary action to  
21 work with the appropriate standards setting organization  
22 to develop, finalize, and publish minimum operational per-  
23 formance standards for the collision avoidance system  
24 know as “Airborne Collision Avoidance System Xr” (in  
25 this section referred to as “ACAS-Xr”).

1 (b) ACAS-XR AVIATION RULEMAKING COM-  
2 MITTEE.—

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

12 (2) COMPOSITION.—The Committee shall con-  
13 sist of members appointed by the Administrator, in-  
14 cluding representatives of—

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

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

19 (C) rotorcraft manufacturers;

20 (D) an organization representing rotorcraft  
21 operators and pilots;

22 (E) general aviation aircraft manufactur-  
23 ers;

24 (F) avionics manufacturers;

25 (G) supplemental type certificate holders;

1 (H) modification service providers;

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

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

8 (K) aviation safety experts with specific  
9 knowledge of human factors or human factors  
10 experts with specific knowledge of aviation safe-  
11 ty; and

12 (L) any other stakeholders the Adminis-  
13 trator determines appropriate.

14 (3) CONSIDERATIONS.—In developing the find-  
15 ings and recommendations required under paragraph  
16 (1), the Committee shall consider—

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

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

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

1 commercial availability of the necessary compo-  
2 nents associated with ACAS-Xr that con-  
3 siders—

4 (i) the anticipated timeline needed for  
5 the FAA to approve the installation of  
6 ACAS-Xr on various rotorcraft or for var-  
7 ious operations; and

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

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

13 (i) the feasibility of using existing an-  
14 tennas of existing collision mitigation sys-  
15 tems equipped in such rotorcraft;

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

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

23 (E) actions that the Administrator can  
24 take to prioritize the certification and installa-  
25 tion of ACAS-Xr;

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

3 (G) any other considerations the Com-  
4 mittee determines appropriate.

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

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

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

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

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

22 (i) traffic advisory aural alerts to in-  
23 clude clock position, relative altitude, range  
24 and vertical tendency; and

1 (ii) the integration of directional traf-  
2 fic symbols.

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

6 (A) appropriate guidance for the certifi-  
7 cation of ACAS-Xr systems;

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

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

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

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

23 (d) SELECTED ROTORCRAFT.—In this section, the  
24 term “selected rotorcraft” means a civil rotorcraft oper-  
25 ating in Class B airspace.

1 **SEC. 104. COLLISION MITIGATION SYSTEMS.**

2 (a) IN GENERAL.—Not later than 45 days after the  
3 date of enactment of this Act, the Administrator shall ini-  
4 tiate a negotiated rulemaking proceeding to require cov-  
5 ered aircraft to be equipped with collision mitigation tech-  
6 nology.

7 (b) COMPOSITION.—The committee convened for the  
8 negotiated rulemaking described in subsection (a) (in this  
9 section referred to as the “Committee”) shall include par-  
10 ticipation from representatives of the following:

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

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

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

17 (4) Organizations representing helicopter avia-  
18 tion operators and pilots.

19 (5) Organizations representing the general avia-  
20 tion community.

21 (6) Organizations representing business avia-  
22 tion operators.

23 (7) Organizations representing experimental  
24 aircraft operators.

25 (8) Transport category aircraft manufacturers.

26 (9) General aviation aircraft manufactures.

1 (10) Rotorcraft manufacturers.

2 (11) Avionics manufacturers.

3 (12) Supplemental type certificate holders.

4 (13) Aircraft modification service providers.

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

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

10 (16) Not less than 3 organizations representing  
11 certified collective bargaining representatives of air-  
12 line pilots operating under part 121 of title 14, Code  
13 of Federal Regulations.

14 (17) Aviation safety experts with specific knowl-  
15 edge of human factors or human factors experts  
16 with specific knowledge of aviation safety.

17 (c) CONSIDERATIONS.—In the negotiated rulemaking  
18 required under this section, the Committee shall con-  
19 sider—

20 (1) relevant collision avoidance technology regu-  
21 lation, guidance, and policies;

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

1 this section referred to as “ADS–B”), Mode S,  
2 Mode C, or other transponders;

3 (3) the necessity of 2 independently verified  
4 data sources to activate traffic resolution advisories  
5 that require compliance by flight crews to maneuver  
6 a covered aircraft regardless of air traffic control in-  
7 structions;

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

10 (5) the ways in which collision mitigation tech-  
11 nologies can further the accuracy and efficacy of  
12 surface surveillance technologies;

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

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

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

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

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

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

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

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

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

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

16           (16) any other considerations the Administrator  
17 determines appropriate.

18       (d) DEADLINE FOR COMMITTEE DELIBERATION.—

19 Not later than 18 months after the initiation of the rule-  
20 making proceeding under subsection (a), the Committee  
21 shall conclude deliberations and submit to the Adminis-  
22 trator and the appropriate committees of Congress—

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

1           (2) if the Committee does not reach consensus,  
2           any proposed language in which the Committee  
3           reached partial consensus, a summary of issues pre-  
4           venting total consensus, and any other information,  
5           recommendations, or materials created during delib-  
6           erations.

7           (e) PROPOSED RULE AND CONGRESSIONAL BRIEF-  
8           ING.—Not later than 30 days after receiving the report  
9           or information, as applicable, required under subsection  
10          (d) from the Committee, the Administrator shall submit  
11          a proposed rule to the appropriate committees of Congress  
12          and thereafter brief the appropriate committees of Con-  
13          gress on such report or information.

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

19          (g) REQUIREMENTS FOR FINAL RULE.—In issuing  
20          the final rule required under subsection (f), the Adminis-  
21          trator shall—

22                 (1) require that covered aircraft be equipped  
23                 with technologies capable of receiving ADS-B trans-  
24                 missions (in this section referred to as “ADS-B  
25                 In”);

1           (2) establish performance requirements for  
2           equipping collision mitigation technology that, as de-  
3           termined by the Administrator, are appropriate for  
4           the covered aircraft and the operations, including  
5           the operating environment;

6           (3) in establishing the performance require-  
7           ments described in paragraph (2)—

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

11                   (B) consider the field of view of the pilots,  
12                   human factors, and, if applicable, mounting  
13                   method of such technology, to ensure that such  
14                   technology can be readily utilized and has mini-  
15                   mal risk of unexpected detachment;

16                   (C) require that covered aircraft equipped  
17                   with technologies that issue traffic resolution  
18                   advisories are receiving and integrating into  
19                   such resolution advisories not less than 2 inde-  
20                   pendently verified data sources; and

21                   (D) consider the utilization of existing an-  
22                   tenna locations or the placement of new an-  
23                   tenna used to receive and, if applicable, trans-  
24                   mit, data used in collision mitigation tech-  
25                   nology;

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

4           (5) establish an effective date not later than  
5           December 31, 2031, for equipping the covered air-  
6           craft with technology described in subsection (a)  
7           that reflects various aircraft types, appropriate  
8           maintenance cycles, and required updates to appro-  
9           priate guidance for such technology after certifi-  
10          cation of such technologies.

11          (h) **ALTERNATIVE MEANS OF COMPLIANCE.**—In  
12          issuing the final rule required under this section, the Ad-  
13          ministrators shall allow for an alternative means of compli-  
14          ance that provides an equivalent level of safety—

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

20               (2) allows for the continued use of any portable  
21               or installed collision mitigation technology in use at  
22               the time of the effective date established in sub-  
23               section (g)(5).

24          (i) **ADMINISTRATIVE PROVISION.**—The Adminis-  
25          trator may designate the Committee in a manner that

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

5 (j) DEFINITIONS.—In this section:

6 (1) COVERED AIRCRAFT.—The term “covered  
7 aircraft”—

8 (A) means—

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

15 (ii) a civil aircraft, not including air-  
16 craft specified in section 91.225(e) of title  
17 14, Code of Federal Regulations, operating  
18 in class B and Class C airspace areas and  
19 areas designated by section 91.225(d)(3)  
20 of title 14, Code of Federal Regulations;  
21 and

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

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

8 (2) COLLISION MITIGATION TECHNOLOGY.—The  
9 term “collision mitigation technology” means equip-  
10 ment that receives and process ADS-B trans-  
11 missions that are broadcast in accordance with part  
12 91.225 and 91.227 of title 14, Code of Federal Reg-  
13 ulations, or any successor regulations, and other  
14 aviation advisory information from ground stations,  
15 that provides the aircraft with awareness to the loca-  
16 tion of other aircraft and traffic advisories.

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

18 (a) MEMORANDUM OF UNDERSTANDING.—

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

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

3           (A) include an evaluation of the time-on-  
4 position practices for operations supervisory  
5 personnel at the time such memorandum is exe-  
6 cuted, prioritizing the evaluation of such prac-  
7 tices at Ronald Reagan Washington National  
8 Airport and other air traffic facilities with high  
9 volumes of mixed helicopter and airplane traf-  
10 fic;

11           (B) provide recommendations for improv-  
12 ing such practices for Air Traffic Organization  
13 operations supervisory personnel at Ronald  
14 Reagan Washington National Airport and other  
15 air traffic facilities with high volumes of mixed  
16 helicopter and airplane traffic;

17           (C) consider the operational oversight  
18 needs and staffing levels of the air traffic facili-  
19 ties described in the previous subparagraphs;  
20 and

21           (D) include any other items determined ap-  
22 propriate by the parties executing such memo-  
23 randum.

24           (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
25 tion shall be construed to interfere with any agreement

1 between a governmental entity and the exclusive bar-  
2 gaining representative of air traffic controllers certified  
3 under section 7111 of title 5, United States Code, includ-  
4 ing requirements under section 7106(a) of title 5, United  
5 States Code, section 5333(b) of title 49, United States  
6 Code, and section 40122 of title 49, United States Code.

7 (c) DEFINITIONS.—In this section:

8 (1) OPERATIONAL OVERSIGHT.—The term  
9 “operational oversight” means the duty of the indi-  
10 vidual in charge of the operation to effectively lead  
11 and manage the delivery of air traffic services by  
12 maintaining intentional engagement, situational  
13 awareness, and accountability within the area of su-  
14 pervision.

15 (2) OPERATIONS SUPERVISORY PERSONNEL.—  
16 The term “operations supervisory personnel” means  
17 managerial personnel responsible for the direct su-  
18 pervision of air traffic control operational personnel.

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

20 (a) IN GENERAL.—Not later than 180 days after the  
21 date of enactment of this Act, the Administrator shall es-  
22 tablish a working group (in this section referred to as the  
23 “Working Group”) to provide the Administrator with rec-  
24 ommendations for revising regulations and standards per-

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

3 (1) threat and error management; and

4 (2) tower-applied and pilot-applied visual sepa-  
5 ration procedures.

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

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

12 (2) the certified bargaining representative of  
13 aviation safety inspectors and engineers for the Ad-  
14 ministration;

15 (3) organizations representing certified collec-  
16 tive bargaining representatives of airline pilots;

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

19 (5) airport sponsors and operators;

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

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

24 (8) aviation safety experts with specific knowl-  
25 edge of—

1 (A) human factors;

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

4 (C) visual separation procedures and regu-  
5 lations.

6 (e) CONSIDERATIONS.—The Working Group shall  
7 consider, at a minimum—

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

10 (2) the requirements of—

11 (A) FAA Order JO 3120.4S, titled “Air  
12 Traffic Technical Training”, issued on August  
13 28, 2024;

14 (B) FAA Order JO 7210.3EE, titled “Fa-  
15 cility Operation and Administration”, issued on  
16 February 20, 2025;

17 (C) FAA Order JO 7110.65BB, titled “Air  
18 Traffic Control”, issued on February 20, 2025;  
19 and

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

22 (3) whether the frequency of the recurrent  
23 training described in subsection (a) should be in-  
24 creased for air traffic controllers in facilities man-  
25 aging high-complexity or high-volume airspace;

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

4 (5) the appropriate use of tower simulator sys-  
5 tems and other advanced training technologies to  
6 supplement the recurrent training described in sub-  
7 section (a), including the use of data analytics from  
8 such systems and technologies to individualize in-  
9 struction;

10 (6) the use of data analytics to identify sys-  
11 temic gaps in the recurrent training described in  
12 subsection (a) and to dynamically enhance training  
13 curriculum and techniques;

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

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

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

23 (e) RULEMAKING.—

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

1 (d), the Administrator shall issue a notice of pro-  
2 posed rulemaking revising standards for the required  
3 recurrent training described in subsection (a), as  
4 recommended by the Working Group.

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

9 (3) JUSTIFICATION FOR DECISION RELATED TO  
10 RECOMMENDATIONS.—If the Administrator decides  
11 not to implement any of the recommendations de-  
12 scribed in subsection (d), the Administrator shall  
13 submit to the appropriate committees of Congress  
14 the justification for the decision with respect to each  
15 such recommendation.

16 (f) THREAT AND ERROR MANAGEMENT DEFINED.—  
17 In this section, the term “threat and error management”  
18 has the meaning described in chapter 6 of the Risk Man-  
19 agement Handbook (FAA H-8083-2A) or any successor  
20 document.

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

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

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

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

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

10 (A) identifying safety risks;

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

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

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

17 (3) findings and recommendations of the—

18 (A) National Transportation Safety Board;

19 (B) National Airspace System Safety Re-  
20 view Team; and

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

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

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

4           (6) data gathered from aviation safety reporting  
5           programs;

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

9           (8) any other factors determined relevant by  
10          the federally-funded research and development cen-  
11          ter.

12         (c) CONSULTATION.—To develop the safety risk as-  
13         sessment tool required under subsection (a), the federally-  
14         funded research and development center shall consult  
15         with—

16           (1) organizations representing operations super-  
17           visors;

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

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

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



- 1 (3) mixed-fleet operations;
- 2 (4) traffic volume;
- 3 (5) air carrier scheduling practices;
- 4 (6) the operational capacity of such airport;
- 5 (7) the current hourly instrument flight rules
- 6 allocation practice at such airport;
- 7 (8) expertise provided by the Air Traffic Orga-
- 8 nization; and
- 9 (9) any other considerations the Administrator
- 10 determines appropriate.

11 (c) COMPLETION OF ASSESSMENT.—Not later than  
12 180 days after the Administrator initiates the assessment  
13 under subsection (a), the Administrator shall complete  
14 and submit to the appropriate committees of Congress  
15 such assessment, including any related findings and rec-  
16 ommendations.

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

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

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

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

11 (3) The Metropolitan Washington Airports Au-  
12 thority.

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

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

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

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

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

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

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

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

6 (A) the accuracy of the factors and multi-  
7 pliers used to calculate the traffic count index  
8 and other related formulas for air traffic con-  
9 trol facilities;

10 (B) whether new relevant factors and mul-  
11 tipliers should be incorporated into such for-  
12 mulas to more accurately reflect the complexity  
13 of the facility operations; and

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

17 (3) UPDATE CRITERIA AND PROCEDURES.—  
18 Upon completion of the review of criteria and proce-  
19 dures under this subsection, the National Validation  
20 Team may revise, as appropriate, such criteria and  
21 procedures.

22 (4) CONFORMING AMENDMENTS TO FAA DOCU-  
23 MENTS.—In issuing such revised guidance, the Na-  
24 tional Validation Team may recommend revisions to  
25 FAA Order 7210.57, titled “Traffic Counting, Re-

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

6 (b) REASSESSMENT OF AIR TRAFFIC CONTROL FA-  
7 CILITY LEVELS.—

8 (1) IN GENERAL.—Upon completion of the re-  
9 view conducted under subsection (a), the National  
10 Validation Team shall reassess, taking into account  
11 any revisions to criteria and procedures revised  
12 under such subsection, the air traffic control facility  
13 level at—

14 (A) the Ronald Reagan Washington Na-  
15 tional Airport; and

16 (B) any other air traffic control facilities  
17 with high volumes of mixed helicopter and air-  
18 plane traffic.

19 (2) REPORT.—Not later than 1 year after com-  
20 pletion of the review conducted under subsection (a),  
21 the Administrator shall submit to the appropriate  
22 committees of Congress a report detailing the find-  
23 ings of the reassessment required under paragraph  
24 (1) and recommendations with respect to the classi-

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

3            (3) IMPLEMENTATION.—If the National Valid-  
4        ation Team determines that a reclassification of the  
5        air traffic control facilities described in paragraph  
6        (1) to a higher level is appropriate, the National  
7        Validation Team may take any such actions as nec-  
8        essary to do so.

9            (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
10       tion may be construed to interfere with any agreement be-  
11       tween a governmental entity and the exclusive bargaining  
12       representative of air traffic controllers certified under sec-  
13       tion 7111 of title 5, United States Code, including require-  
14       ments under sections 5333(b) and 40122 of title 49,  
15       United States Code, and section 7106(a)(1) of title 5,  
16       United States Code.

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

1 **SEC. 111. WORKING GROUP TO EVALUATE SHARED FRE-**  
2 **QUENCY AROUND RONALD REAGAN WASH-**  
3 **INGTON NATIONAL AIRPORT.**

4 (a) **IN GENERAL.**—Not later than 3 months after the  
5 date of enactment of this Act, the Administrator shall con-  
6 vene a working group (in this section referred to as the  
7 “Working Group”) to conduct a comprehensive evaluation  
8 of the safety benefits and risks of requiring all aircraft  
9 to use the same communications frequency during any pe-  
10 riod in which helicopter and local air traffic control posi-  
11 tions are combined in the Ronald Reagan Washington Na-  
12 tional Airport air traffic control tower.

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

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

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

20 (3) 3 separate organizations representing the  
21 certified collective bargaining representatives of pi-  
22 lots operating under part 121 of title 14, Code of  
23 Federal Regulations;

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

1           (5) an organization representing business avia-  
2           tion operators and pilots;

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

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

10          (8) an individual that has expertise in an oper-  
11          ational or academic discipline that is relevant to the  
12          analysis of human factors in aviation, which may in-  
13          clude air carrier operations, line pilot expertise, air  
14          traffic control, linguistics, human-machine integra-  
15          tion, general aviation operations, and organizational  
16          behavior and culture;

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

20          (10) the Department of Defense, provided the  
21          representative has expertise on Department of De-  
22          fense flight operations in the area described in sub-  
23          section (a);

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

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

6           (c) VOTING.—The members described in paragraphs  
7 (9), (10), (11), and, in the case of a representative chosen  
8 by the Administrator that is from a governmental agency,  
9 (12) of subsection (b) shall be nonvoting members of the  
10 Working Group.

11          (d) DURATION.—

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

15           (2) LENGTH OF EXISTENCE.—

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

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

21          (e) CONSIDERATIONS.—In conducting the com-  
22           prehensive evaluation under subsection (a), the Working  
23           Group shall, at minimum, consider—

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

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

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

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

9 (5) pilot training requirements;

10 (6) air traffic controller training requirements;

11 (7) if any, technological limitations or chal-  
12 lenges that would impede aircraft from using the  
13 same communications frequency;

14 (8) the potential for overlapping, conflicting,  
15 and simultaneous communication transmissions,  
16 prior to and after any improvements made as a re-  
17 sult of the assessment conducted pursuant to section  
18 112;

19 (9) the potential for misdirected communica-  
20 tions on crowded frequencies;

21 (10) National Transportation Safety Board rec-  
22 ommendations pertaining to miscommunications on  
23 crowded frequencies; and

24 (11) solicited feedback from air carriers oper-  
25 ating under part 121 and part 135 of title 14, Code

1 of Federal Regulations, and general aviation opera-  
2 tors under part 91 of title 14, Code of Federal Reg-  
3 ulations.

4 (f) REPORT.—Not later than 6 months after the con-  
5 clusion of the Working Group, the Working Group shall  
6 submit to the Administrator and the appropriate commit-  
7 tees of Congress a report on the findings and rec-  
8 ommendations resulting from the activities carried out  
9 under this section.

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

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

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

21 (b) CONSIDERATIONS.—In conducting the assess-  
22 ment under subsection (a), the Administrator shall, at  
23 minimum, consider—

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

1 or flight crew to instances in which radio trans-  
2 missions may have been blocked;

3 (2) the technical standards written for, and as-  
4 sociated with, the use of such technologies identified  
5 under paragraph (1);

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

10 (4) the technical standards that would be need-  
11 ed to implement the technologies identified under  
12 paragraph (3);

13 (5) the potential benefits and enhanced aware-  
14 ness that the adoption of such technologies would  
15 provide;

16 (6) the technological limitations associated with  
17 such technologies;

18 (7) air traffic controller training requirements;

19 (8) the effort of the FAA to modernize the air  
20 traffic control system, including timelines, the incor-  
21 poration of new technologies, and planned training;  
22 and

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

1 ability of information, nuisance alerts, and human  
2 factors.

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

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

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

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

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

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

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

21 (7) any other organization or agency the Ad-  
22 ministrator determines appropriate.

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

1 results of the assessment under subsection (a) that in-  
2 cludes—

3 (1) a list of technologies identified by the Ad-  
4 ministrator serving the purpose described in sub-  
5 section (a);

6 (2) a list of technologies the Administrator pro-  
7 poses that could serve the purpose described in sub-  
8 section (a); and

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

11 (A) the scope of potential upgrades;

12 (B) predicted costs;

13 (C) a projected timeline; and

14 (D) how the potential upgrades to facilities  
15 and equipment within the scope of subpara-  
16 graph (A) would be prioritized.

17 **SEC. 113. TASK FORCE TO IDENTIFY IMPROVEMENTS TO**  
18 **AIR TRAFFIC CONTROLLER CONFLICT ALERT**  
19 **SYSTEM.**

20 (a) IN GENERAL.—Not later than 3 months after the  
21 date of enactment of this Act, the Administrator shall con-  
22 vene a task force (in this section referred to as the “Task  
23 Force”) to develop a framework detailing the priorities,  
24 goals, timeline, and recommendations to implement im-  
25 provements to the conflict alert system to provide more

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

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

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

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

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

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

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

23 (6) the FAA, including the Air Traffic Organi-  
24 zation and the Office of Finance and Management,

1 provided such representative has expertise on equip-  
2 ment procurement; and

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

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

10 (d) DURATION.—

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

14 (2) LENGTH OF EXISTENCE.—

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

17 (B) OPTIONAL EXTENSION.—The Adminis-  
18 trator may extend the duration of the Task  
19 Force for an additional period of up to 6  
20 months.

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

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

1 ability of information, nuisance alerts, and human  
2 factors;

3 (2) opportunities and challenges of consoli-  
4 dating numerous systems and underlying data  
5 sources into a single display, including through the  
6 deployment of the Enterprise–Information Display  
7 System;

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

10 (4) air traffic controller training requirements;

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

14 (6) technological limitations;

15 (7) National Transportation Safety Board rec-  
16 ommendations pertaining to air traffic controller  
17 alerts, distractions, and loss of focus;

18 (8) the effort of the FAA to modernize the air  
19 traffic control system, including timelines, new tech-  
20 nologies being incorporated, and planned training;  
21 and

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

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

7 (g) IMPLEMENTATION PLAN.—

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

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

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

18 (i) FAA Order JO 3120.4S, titled  
19 “Air Traffic Technical Training”, issued  
20 on August 28, 2024;

21 (ii) FAA Order JO 7210.3EE, titled  
22 “Facility Operation and Administration”,  
23 issued on February 20, 2025; and

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

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

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

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

10 (h) BRIEFINGS TO CONGRESS.—Not later than 6  
11 months after the submission of the Plan to Congress  
12 under subsection (g)(1), and every 6 months thereafter  
13 until the full implementation of the Plan, the Adminis-  
14 trator shall brief the appropriate committees of Congress  
15 on the progress of implementation.

16 **SEC. 114. POSTACCIDENT AND POSTINCIDENT DRUG AND**  
17 **ALCOHOL TESTING.**

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

1 (b) REQUIREMENTS.—In reviewing and revising the  
2 procedures described under subsection (a), the Adminis-  
3 trator shall—

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

7 (A) whether the event meets testing cri-  
8 teria; and

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

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

15 (3) consult with representatives of—

16 (A) the exclusive bargaining representative  
17 of air traffic controllers certified under section  
18 7111 of title 5, United States Code;

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

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

24 (c) TRAINING.—

1           (1) IN GENERAL.—Not later than 1 year after  
2           the date of enactment of this Act, the Administrator  
3           shall develop standards for annual training on the  
4           revised postaccident and postincident drug and alco-  
5           hol testing determination procedure described in  
6           subsection (a) for all staff of the Air Traffic Organi-  
7           zation who have responsibilities under such proce-  
8           dure.

9           (2) REQUIREMENTS.—The training standards  
10          developed under this subsection shall, at a min-  
11          imum—

12                 (A) include a postlearning knowledge as-  
13                 sessment; and

14                 (B) consider the findings and recommenda-  
15                 tions of the National Transportation Safety  
16                 Board.

17          (d) REVIEW.—

18           (1) IN GENERAL.—Not later than 1 year after  
19           the date of enactment of this Act, the Administrator  
20           shall conduct a review of the ability of each air traf-  
21           fic control facility to routinely accomplish the re-  
22           quired postaccident and postincident drug and alco-  
23           hol testing within the Secretary's specified time-  
24           frames of within 2 hours for alcohol testing and  
25           within 4 hours for drug testing.

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

7           (3) REMEDIATION.—Not later than 3 months  
8           after the submission of the report under paragraph  
9           (1), the Administrator shall develop and implement  
10          a process to ensure that any air traffic control facil-  
11          ity without such capability will carry out timely re-  
12          mediation.

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

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

20          (b) REPORT.—Not later than December 31, 2026,  
21          and December 31 of each year thereafter, the Adminis-  
22          trator shall submit to the appropriate committees of Con-  
23          gress a report containing, at a minimum, the following in-  
24          formation:

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

3 (A) changes, additions, or deletions to des-  
4 ignated helicopter routes;

5 (B) changes in instrument flight rules  
6 routes;

7 (C) additions or deletions of visual check-  
8 points; and

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

12 (2) The safety risk management documentation  
13 completed in accordance with FAA Order JO  
14 8040.4C, titled “Safety Risk Management Policy”  
15 (or any successor document).

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

20 (4) A certification that the designated rec-  
21 ommended route altitudes and flight ceilings and  
22 floors ensure helicopters maintain minimum separa-  
23 tion, in accordance with FAA Order 7110.65BB, ti-  
24 tled “Air Traffic Control” (or any successor docu-

1       ment), with fixed-wing aircraft operating along air-  
2       port approach and departure paths.

3       (c) FAILURE TO SUBMIT.—

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

11          (2) DEADLINE FOR INITIAL OUTREACH AND CO-  
12      ORDINATION.—Not later than 4 days after such  
13      date, the FAA shall begin initial outreach to and co-  
14      ordination with the appropriate committees of Con-  
15      gress to arrange and organize logistics of the brief-  
16      ing required under paragraph (1).

17          (3) FORMAT AND TIME OF BRIEFING.—The  
18      briefing required under paragraph (1) shall be in a  
19      format and at a time to be determined by such com-  
20      mittees.

21      **SEC. 116. FURTHER MODIFICATIONS TO RONALD REAGAN**  
22                      **WASHINGTON NATIONAL AIRPORT AREA HELI-**  
23                      **ICOPTER ROUTES.**

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

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

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

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

10 (2) have operating procedures that require posi-  
11 tive control from the controller to ensure safe  
12 deconfliction during operations.

13 (c) SAFETY REVIEW REQUIREMENTS.—In carrying  
14 out the route revisions required under subsection (b), the  
15 Administrator shall conduct a safety risk management re-  
16 view, as necessary, for any helicopter route changes, in  
17 accordance with FAA Order 8040.4C, titled “Safety Risk  
18 Management Policy” (or any successor document).

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

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

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

4           (3) the safety risk management review docu-  
5           mentation developed as a result of the review con-  
6           ducted under subsection (c).

7 **SEC. 117. REQUIRING VERTICAL SEPARATION NEAR AIR-**  
8           **PORTS DURING CRITICAL PHASES OF**  
9           **FLIGHT.**

10          (a) IN GENERAL.—Except as provided in subsection  
11          (b), the Administrator shall ensure that each segment of  
12          a helicopter route contains, in the appropriate helicopter  
13          route chart, recommended flight altitudes, including alti-  
14          tude ceilings and floors, in a manner consistent with FAA  
15          Order JO 7210.3EE, titled “Facility Operation and Ad-  
16          ministration” (or any successor document).

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

24          (c) CHARTING MINIMUM SEPARATION NEAR AIR-  
25          PORTS.—

1           (1) IN GENERAL.—The Administrator shall en-  
2           sure that any helicopter chart that represents an  
3           area near an airport clearly conveys to an operator  
4           the segments of such helicopter routes in the vicinity  
5           of such airport.

6           (2) CONTENT REQUIREMENTS.—At minimum,  
7           each such chart shall clearly convey for each of the  
8           segments, the recommended flight altitudes, includ-  
9           ing altitude ceilings and floors, and any necessary  
10          instructions, to ensure minimum separation, in ac-  
11          cordance with FAA Order JO 7110.65BB, titled  
12          “Air Traffic Control” (or any successor document),  
13          between—

14                 (A) a helicopter utilizing such segment;  
15                 and

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

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

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

5 **SEC. 118. VISUAL CHARTS.**

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

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

14 (1) air carriers;

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

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

19 (4) an organization representing business avia-  
20 tion operators and pilots;

21 (5) 3 separate organizations representing cer-  
22 tified collective bargaining representatives of airline  
23 pilots operating under part 121 of title 14, Code of  
24 Federal Regulations;

1           (6) the certified exclusive bargaining represent-  
2           atives of air traffic controllers certified under section  
3           7111 of title 5, United States Code; and

4           (7) an individual that has expertise in an oper-  
5           ational or academic discipline that is relevant to the  
6           analysis of human factors in aviation, including air  
7           carrier operations, line pilot expertise, air traffic  
8           control, linguistics, human-machine integration, gen-  
9           eral aviation operations, and organizational behavior  
10          and culture.

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

13           (1) spacing and legibility of information on  
14           charts;

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

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

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

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

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

4 (1) Terminal Procedures Publications to include  
5 charted helicopter routes to provide appropriate situ-  
6 ational awareness to fixed-wing operators; and

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

10 (e) CONGRESSIONAL BRIEFING.—If the Adminis-  
11 trator makes revisions under subsection (d), the Adminis-  
12 trator shall brief the appropriate committees of Congress  
13 on such revisions not later than 60 days after making such  
14 revisions.

15 **SEC. 119. CLOSE PROXIMITY ENCOUNTERS.**

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

19 (1) a definition of close proximity encounters;

20 (2) associated parameters that can be used to  
21 monitor the prevalence of such encounters and iden-  
22 tify areas of potential traffic conflict for safety as-  
23 surance and safety risk management for such en-  
24 counters; and

1           (3) making publicly available aggregated infor-  
2           mation about such encounters.

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

5           (1) existing airborne separation rules and re-  
6           quired loss of airborne separation reporting require-  
7           ments;

8           (2) the development of a definition of, and asso-  
9           ciated parameters for, close proximity encounter  
10          events;

11          (3) data gathered from aviation safety reporting  
12          systems and reports, including the Aviation Safety  
13          Information Analysis and Sharing Program, the  
14          Aviation Safety Action Program, the Performance  
15          Data Analysis and Reporting System, the Aviation  
16          Risk Identification and Assessment (“ARIA”) sys-  
17          tem, preliminary ARIA reports, the Air Traffic Safe-  
18          ty Action Program, the Aviation Safety Reporting  
19          System, the Near Midair Collision System, manda-  
20          tory occurrence reports, and other relevant systems  
21          and reports;

22          (4) findings and recommendations of the Na-  
23          tional Transportation Safety Board, including find-  
24          ings and recommendations of the DCA Midair Colli-  
25          sion report;

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

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

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

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

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

13           (A) 2 representatives of the National Aero-  
14 nautics and Space Administration with exper-  
15 tise in safety data.

16           (B) 5 appropriately qualified representa-  
17 tives of aviation labor organizations (designated  
18 by the applicable represented organization), in-  
19 cluding—

20           (i) organizations representing certified  
21 collective bargaining representatives of air-  
22 line pilots;

23           (ii) the exclusive bargaining represent-  
24 atives of FAA air traffic controllers cer-

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

3                   (iii) organizations representing heli-  
4                   copter operators and pilots; and

5                   (iv) organizations representing general  
6                   aviation operators and pilots.

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

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

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

14                  (D) 2 air carrier employees whose job re-  
15                  sponsibilities include administration of a safety  
16                  management system.

17                  (E) 2 individuals representing holders of a  
18                  certificate issued under part 21 of title 14,  
19                  Code of Federal Regulations, whose job respon-  
20                  sibilities include administration of a safety  
21                  management system.

22                  (F) 2 other representatives from the aero-  
23                  space industry that do not meet the criteria de-  
24                  scribed in subparagraph (D) or (E) and who  
25                  have expertise in safety assurance or safety risk

1 or whose job responsibilities include administra-  
2 tion of a safety management system.

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

9 (d) **PUBLIC REPORTING.**—Not later than 30 days  
10 after the working group develops recommendations under  
11 subsection (a), the Administrator shall make publicly  
12 available a report containing the recommendations and de-  
13 scribing how the Administrator intends to implement such  
14 recommendations.

15 **SEC. 120. NOTIFICATION OF CLOSE PROXIMITY ENCOUN-**  
16 **TERS AND ANALYSIS OF DATA.**

17 (a) **IN GENERAL.**—Not later than 180 days after the  
18 date of enactment of this Act, the Administrator, in ac-  
19 cordance with the mandatory occurrence reporting re-  
20 quirements in FAA Order JO 7210.632A, title “Air Traf-  
21 fic Organization Occurrence Reporting” (or any successor  
22 document) and airborne loss of separation minima in FAA  
23 Order JO 7110.65BB, titled “Air Traffic Control” (or any  
24 successor document), shall establish a process to—

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

3           (2) provide deidentified event data to the Avia-  
4 tion Safety Information Analysis and Sharing pro-  
5 gram.

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

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

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

13           (3) ensure timeliness of notifications to the par-  
14 ties described in subsection (a)(1) so that relevant  
15 data remains available before meaningful safety  
16 analysis, reporting, or corrective action is no longer  
17 practicable;

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

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

23                   (A) airport surface loss of separation;

24                   (B) loss of separation with terrain or ob-  
25 stacles;

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

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

5 (e) CONSULTATION.—In establishing the process  
6 under subsection (a), the Administrator shall consult  
7 with—

8 (1) air carriers;

9 (2) helicopter operators;

10 (3) general aviation operators;

11 (4) organizations representing certified collec-  
12 tive bargaining representatives of airline pilots;

13 (5) the certified exclusive bargaining represent-  
14 atives of air traffic controllers of the Administration  
15 certified under section 7111 of title 5, United States  
16 Code;

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

19 (7) other aviation safety experts determined ap-  
20 propriate by the Administrator.

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

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

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

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

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

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

13 **SEC. 121. SAFETY CULTURE REVIEW.**

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

19 (b) CONSIDERATIONS.—In conducting the audit  
20 under subsection (a), the inspector general shall, at a min-  
21 imum, evaluate—

22 (1) the safety management system of the Air  
23 Traffic Organization, including the functions and  
24 data sharing activities of such system at all air traf-  
25 fic control facilities;

1           (2) whether such system effectively coordinated  
2 safety assurance and safety risk management activi-  
3 ties with external stakeholders within the Ronald  
4 Reagan Washington National Airport Class B air-  
5 space;

6           (3) which data analysis, safety assurance, and  
7 risk assessment processes failed to identify and miti-  
8 gate the risk of potential midair collisions near Ron-  
9 ald Reagan Washington National Airport before  
10 January 29, 2025;

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

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

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

1 “Drug and Alcohol-Free Departmental Workplace  
2 Program”;

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

6 (8) how the Air Traffic Organization has ad-  
7 dressed the findings and utilized the Safety Risk  
8 Management process in accordance with FAA Order  
9 8040.4C, titled “Safety Risk Management Policy”  
10 (or any successor document) in the National Air-  
11 space System Helicopter Operations Helicopter  
12 Route Analysis of the FAA issued in April 2025.

13 (c) REPORT OF THE INSPECTOR GENERAL.—

14 (1) IN GENERAL.—Not later than 1 year after  
15 the date of enactment of this Act, the inspector gen-  
16 eral shall submit to the appropriate committees of  
17 Congress a report on the audit conducted under sub-  
18 section (a).

19 (2) RECOMMENDATIONS.—The inspector gen-  
20 eral shall include in the report submitted under  
21 paragraph (1)—

22 (A) recommendations for actions the Sec-  
23 retary should take with respect to the Air Traf-  
24 fic Organization to—

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

3 (ii) increase transparency in the safe-  
4 ty management system process, including  
5 by adopting policies that provide assur-  
6 ances to FAA employees that the Air Traf-  
7 fic Organization is addressing any identi-  
8 fied safety issues;

9 (iii) increase data sharing and collabo-  
10 ration with external stakeholders;

11 (iv) protect against retaliation;

12 (v) encourage open, nonpunitive com-  
13 munication; and

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

16 (B) recommendations for actions the Sec-  
17 retary may take to ensure adequate oversight  
18 over the safety management system of the Air  
19 Traffic Organization; and

20 (C) any other recommendations the inspec-  
21 tor general determines appropriate.

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

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

5           (2) the Secretary shall submit to the appro-  
6           priate committees of Congress a report describing  
7           how the Secretary intends to implement such rec-  
8           ommendations.

9   **SEC. 122. DOCUMENTATION OF CONTROL POSITION COM-**  
10                           **BINATIONS.**

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

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

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

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

3 (2) examine the feasibility of digitizing, or pro-  
4 viding an electronic means of, the documentation de-  
5 scribed in subsection (a);

6 (3) require the operations supervisor or con-  
7 troller-in-charge to periodically review documentation  
8 of occurrences of combined control position respon-  
9 sibilities described in subsection (a) and submit a ra-  
10 tionale for atypical occurrences to the facility air  
11 traffic manager;

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

14 (5) consult with representatives of—

15 (A) the exclusive bargaining representative  
16 of air traffic controllers certified under section  
17 7111 of title 5, United States Code;

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

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

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

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

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

10 (e) DEFINITIONS.—In this section:

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

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

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

21 (2) OPERATIONS SUPERVISOR.—The term “op-  
22 erations supervisor” means managerial personnel re-  
23 sponsible for the direct supervision of air traffic con-  
24 trol operational personnel.

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

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

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

12 (1) the accuracy of the criteria used to deter-  
13 mine the miles-in-trail procedures for air traffic con-  
14 trol facilities;

15 (2) whether additional criteria should be incor-  
16 porated to more appropriately reflect the traffic vol-  
17 ume and operational complexity of air traffic control  
18 facilities; and

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

21 (c) STANDARDS UPDATE.—Upon completion of the  
22 review conducted under subsection (a), the Administrator  
23 shall update the miles-in-trail standards in FAA Order JO  
24 7210.3EE, titled “Facility Operation and Administration”  
25 (or any successor document) to ensure such standards are  
26 appropriate for operational safety.

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

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

11 (1) the exclusive bargaining representatives of  
12 the air traffic controllers certified under section  
13 7111 of title 5, United States Code;

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

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

18 (4) organizations representing the certified col-  
19 lective bargaining representatives of pilots operating  
20 under part 121 of title 14, Code of Federal Regula-  
21 tions; and

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

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

5 (1) a list of air traffic control facilities identi-  
6 fied under subsection (d) as having miles-in-trail  
7 procedures or agreements that did not provide for a  
8 separation of aircraft traffic appropriate for oper-  
9 ational safety; and

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

16 **TITLE II — DEPARTMENT OF**  
17 **DEFENSE MATTERS**

18 **SEC. 201. DEPARTMENT OF DEFENSE MATTERS RELATING**  
19 **TO AVIATION SAFETY.**

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

22 **“CHAPTER 158—AVIATION SAFETY**

23 **“§ 2655. Definitions**

24 “In this chapter:

1           “(1) The term ‘appropriate congressional com-  
2           mittees’ means the congressional defense commit-  
3           tees, the Committee on Transportation and Infra-  
4           structure of the House of Representatives, and the  
5           Committee on Commerce, Science, and Transpor-  
6           tation of the Senate.

7           “(2) The term ‘ADS-B Out’ has the meaning  
8           given such term in part 91.227 of title 14, Code of  
9           Federal Regulations.

10          “(3) The term ‘air traffic control services’  
11          means services used for the monitoring, directing,  
12          control, and guidance of aircraft or flows of aircraft  
13          and for the safe conduct of flight, including commu-  
14          nications, navigation, and surveillance services and  
15          the provision of aeronautical information.

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

18                 “(A) receives and processes Automatic De-  
19                 pendent Surveillance Broadcast transmissions  
20                 that are broadcast in accordance with parts  
21                 91.225 and 91.227 of title 14, Code of Federal  
22                 Regulations, or a successor regulation, and  
23                 other aviation advisory information from  
24                 ground stations; and

1           “(B) provides to an aircraft awareness  
2           with respect to the location of other aircraft  
3           and traffic advisories.

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

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

11          “(7) The term ‘National Capital Region’  
12          means—

13                 “(A) the geographic area located within  
14                 the boundaries of—

15                         “(i) the District of Columbia;

16                         “(ii) Montgomery and Prince Georges  
17                         Counties in the State of Maryland;

18                         “(iii) Arlington, Fairfax, Loudoun,  
19                         and Prince William Counties and the City  
20                         of Alexandria in the Commonwealth of Vir-  
21                         ginia; and

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

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

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

9           “(A) means training, policies and practices  
10 related to aviation safety; and

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

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

14           “(A) Department of Defense aircraft infor-  
15 mation relating to classified aircraft, aircraft  
16 involved in continuity of government operations  
17 or nuclear command and control, fighter air-  
18 craft, bomber aircraft, or unmanned aircraft  
19 systems;

20           “(B) other information which, when pub-  
21 licly disclosed in the aggregate, would reveal the  
22 capabilities of Department of Defense aircraft  
23 that could reasonably be expected to cause seri-  
24 ous damage to national security; and

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

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

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

18          “(12) The term ‘unmanned aircraft system’ has  
19          the meaning given such term in section 44801 of  
20          title 49.

21       **“§ 2656. Memorandum of agreement**

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

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

3           “(A) provides that fighter aircraft, bomber air-  
4           craft, unmanned aircraft systems, and other special  
5           mission aircraft that are not equipped or not yet  
6           equipped with collision mitigation technologies or  
7           ADS–B Out, or similar technologies, will be reason-  
8           ably accommodated for safe operations in the na-  
9           tional airspace system and provided with necessary  
10          air traffic control services; and

11          “(B) establishes policies governing the oper-  
12          ation of collision mitigation technologies and ADS–  
13          B Out, or similar technologies, including proper  
14          maintenance and routine verification practices for  
15          such systems, on Department of Defense aircraft,  
16          consistent with this chapter.

17          “(2) The Secretary of Transportation and the Sec-  
18          retary of Defense, or their designees, shall consult not less  
19          than semiannually on any appropriate updates to the  
20          memorandum required under this section to reflect safe,  
21          effective, and modern air traffic identification, air space  
22          management, and related equipment.

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

1           “(A) ensure that, beginning on a date agreed to  
2           and set forth in such memorandum or the date that  
3           is one year after the date of the enactment of this  
4           section, whichever occurs first, the Secretary of a  
5           military department may not authorize any Depart-  
6           ment of Defense manned rotary wing aircraft to op-  
7           erate a training mission in the National Capital Re-  
8           gion unless such aircraft is actively transmitting an  
9           ADS-B Out broadcast, or similar technology, com-  
10          patible with the traffic alert and collision avoidance  
11          system of commercial aircraft unless—

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

14                       “(ii) such aircraft is carrying out a sen-  
15                       sitive mission;

16          “(B) prioritize the use of ADS-B Out, or a  
17          similar technology, by Department of Defense  
18          manned rotary wing aircraft when operating within  
19          a Class B Mode C veil within the United States (as  
20          such term is defined in section 1.1 of title 14, Code  
21          of Federal Regulations), without impacting the oper-  
22          ational security of Department of Defense aircraft  
23          or sensitive activities;

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

1 configuration of ADS–B Out and other tran-  
2 sponders, including routine intervals for verifying  
3 transponder settings and proper operation;

4 “(D) clarify operational procedures regarding  
5 flight crew authority to enable ADS–B Out trans-  
6 mission in flight, including in response to air traffic  
7 or weather conditions; and

8 “(E) protect sensitive aircraft data from unnee-  
9 cessary disclosure, including by mitigating risks re-  
10 garding the inadvertent disclosure of such data or  
11 information regarding special missions.

12 “(2) In carrying out this section, the Secretary of De-  
13 fense, in consultation with the Secretary of Transpor-  
14 tation, shall identify and implement collision mitigation  
15 technology in Department of Defense aircraft that are not  
16 fighter aircraft, bomber aircraft, unmanned aircraft sys-  
17 tems, or other special mission aircraft, by either integrated  
18 system or standalone device, to provide traffic information  
19 and audible alerts to flight crew while considering—

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

23 “(B) appropriate mitigations to known security  
24 vulnerabilities associated with such technology and  
25 associated displays or audible alerts;

1           “(C) appropriate safeguards for sensitive air-  
2           craft data, classified material, equipment, or sen-  
3           sitive missions when using or carrying electronic de-  
4           vices to receive or display collision mitigation tech-  
5           nology information or convey audible alerts;

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

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

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

19          “(4) In implementing the memorandum of agreement  
20          required by this section, the Secretary of Defense, or the  
21          Secretary of a military department, may exempt from rel-  
22          evant portions of such memorandum an individual aircraft  
23          on a case-by-case basis if such Secretary determines that  
24          the aircraft—

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

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

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

15          “(d) ADS–B CARRIAGE.—In carrying out a memo-  
16          randum of agreement pursuant to this section or any other  
17          provision of law, in order to protect the operational secu-  
18          rity of Department of Defense aircraft, the Secretary of  
19          Defense shall retain the sole control over the determina-  
20          tion of which specific collision mitigation technology, in-  
21          cluding ADS–B implementation, equipment, or related  
22          technology, is appropriate for installation and operation  
23          in any such aircraft.

1 **“§ 2657. Manned rotary wing aviation safety manage-**  
2 **ment system**

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

8 “(1) responsibilities that are clearly delineated  
9 from other occupational safety responsibilities; and

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

12 “(b) QUALIFICATION PROTECTIONS.—The Secretary  
13 and the Joint Safety Council shall ensure that the imple-  
14 mentation of the rotary wing aviation safety management  
15 system required under subsection (a) does not preclude an  
16 individual assigned manned rotary wing aviation safety  
17 management system duties from maintaining appropriate  
18 qualifications, flying hours, professional military edu-  
19 cation, or other activities required for career advancement  
20 on the basis of being assigned such duties.

21 “(c) AVIATOR SURVEY.—The Secretary and the Joint  
22 Safety Council shall carry out a survey of helicopter pilots  
23 across the Department of Defense to identify operationally  
24 relevant and responsive flight safety reporting systems.  
25 Such survey shall include the collection of information re-  
26 garding—

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

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

7           “(3) options for reporting safety incidents, in-  
8           cluding encounters with civil air traffic operating in  
9           the national airspace system without retaliation,  
10          judgment, or undue consequence;

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

15          “(5) integrating improved flight safety report-  
16          ing into current operations.

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

21                 “(1) an outline of the resources, both funding  
22                 and personnel, required to implement appropriate  
23                 findings and requirements of this section with re-  
24                 spect to each military department;



1 retary shall consider historical flight data from Depart-  
2 ment of Defense manned rotary wing aircraft operating  
3 in the associated airspace.

4 “(c) REPORT.—Not later than March 1, 2027, the  
5 Secretary shall submit to the congressional defense com-  
6 mittees a report containing a description of how each mili-  
7 tary department has implemented the training require-  
8 ments under subsection (a) and how the Secretary has en-  
9 sured consistency with respect to such implementation  
10 across the military departments.

11 **“§ 2659. Flight data monitoring improvements**

12 “(a) IN GENERAL.—The Secretary of Defense, in co-  
13 ordination with the Administrator of the Federal Aviation  
14 Administration, shall develop and implement standards  
15 across the military departments to ensure that Depart-  
16 ment of Defense manned rotary wing aircraft operations  
17 in the national airspace system, and associated training,  
18 routes, and activities, are informed by accurate recorded  
19 flight data to identify operational patterns, and improve  
20 pre-flight planning for missions within the national air-  
21 space system.

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

24 “(1) seek to use—

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

4           “(B) systems that allow for flight data to  
5           be evaluated for accuracy on a recurrent basis;  
6           and

7           “(2) consistent with subsection (f), conduct a  
8           review and establish procedures to share non-sen-  
9           sitive flight data with the Administrator of the Fed-  
10          eral Aviation Administration and other relevant  
11          flight safety actors.

12          “(c) COMMUNICATIONS DEGRADATION.—In carrying  
13          out subsection (a), the Secretary of Defense shall collect  
14          observations, data, and references regarding the degrada-  
15          tion of radio transmission or reception between Depart-  
16          ment of Defense manned rotary wing aircraft and air traf-  
17          fic controllers or other aircraft and identify factors that  
18          may contribute to such degradation and possible remedi-  
19          ation.

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

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

1           “(A) the expected standard margin of  
2 error for barometric altimeters for each class of  
3 aircraft; and

4           “(B) the total potential error created by  
5 additional aircraft equipment on an otherwise  
6 airworthy barometric altimeter, including in-  
7 creased position error associated with the exter-  
8 nal stores support system configuration; and

9           “(2) incorporate observations derived from  
10 other data sources, including historical flight data  
11 monitoring from external sources, to better under-  
12 stand total potential error of barometric altimeters  
13 in different aircraft configurations.

14       “(e) IMPLEMENTATION REPORTING.—The Secretary  
15 shall provide to the congressional defense committees up-  
16 dates on—

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

18           “(2) the incorporation of the standards devel-  
19 oped and data collected pursuant to this section into  
20 the manned rotary wing aviation safety management  
21 systems required under section 2657 of this title, to  
22 provide robust support to such systems.

23       “(f) DATA SHARING.—(1) The Secretary of Defense  
24 shall—

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

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

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

9           **“§ 2660. Rule of construction**

10          “Nothing in this chapter shall be construed to—

11           “(1) vest in the Secretary of Defense any au-  
12           thority of the Secretary of Transportation or the Ad-  
13           ministrator of the Federal Aviation Administration  
14           under title 49 or any other provision of law;

15           “(2) vest in the Secretary of Transportation or  
16           the Administrator of the Federal Aviation Adminis-  
17           tration any authority of the Secretary of Defense  
18           under this title or any other provision of law;

19           “(3) limit the authority or discretion of the Sec-  
20           retary of Transportation or the Administrator of the  
21           Federal Aviation Administration to operate air traf-  
22           fic control services to ensure the safe minimum sepa-  
23           ration of aircraft in flight and the efficient use of  
24           airspace;

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

7           “(5) require a Department of Defense aircraft  
8           to compromise operational security during a combat  
9           operation.”.

10 **SEC. 202. TREATMENT OF SUPERCEDED MEMORANDUM OF**  
11 **AGREEMENT AND PROVISION OF LAW.**

12           Effective on the date on which the memorandum of  
13 agreement required by section 2656 of title 10, United  
14 States Code, as added by section 201 of this title, is sub-  
15 mitted to the congressional defense committees, the Com-  
16 mittee on Transportation and Infrastructure of the House  
17 of Representatives, and the Committee on Commerce,  
18 Science, and Transportation of the Senate, the following  
19 shall have no further force or effect:

20           (1) Section 1046 of the John S. McCain Na-  
21 tional Defense Authorization Act for Fiscal Year  
22 2019 (Public Law 115–232; 49 U.S.C. 40101 note).

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

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

2 Section 2654 of title 10, United States Code, is re-  
3 pealed.