

**Suspend the Rules and Pass the Bill, H. R. 3482, With an
Amendment**

**(The amendment strikes all after the enacting clause and inserts a
new text)**

117TH CONGRESS
2^D SESSION

H. R. 3482

To establish the National Center for the Advancement of Aviation.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2021

Mr. CARSON (for himself, Mr. YOUNG, Mr. BOST, Ms. BROWNLEY, Mr. FITZPATRICK, Mr. KAHELE, Mr. LARSEN of Washington, Mr. MULLIN, Ms. NORTON, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish the National Center for the Advancement of
Aviation.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Center for
5 the Advancement of Aviation Act of 2022”.

1 **SEC. 2. FEDERAL CHARTER FOR THE NATIONAL CENTER**
2 **FOR THE ADVANCEMENT OF AVIATION.**

3 (a) IN GENERAL.—Chapter 1 of title 49, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 120. National Center for the Advancement of Avia-**
7 **tion**

8 “(a) FEDERAL CHARTER AND STATUS.—

9 “(1) IN GENERAL.—The National Center for
10 the Advancement of Aviation (in this section re-
11 ferred to as the ‘Center’) is a federally chartered en-
12 tity. The Center is a private independent entity, not
13 a department, agency, or instrumentality of the
14 United States Government or a component thereof.
15 Except as provided in subsection (f)(1), an officer or
16 employee of the Center is not an officer or employee
17 of the Federal Government.

18 “(2) PERPETUAL EXISTENCE.—Except as oth-
19 erwise provided, the Center shall have perpetual ex-
20 istence.

21 “(b) GOVERNING BODY.—

22 “(1) IN GENERAL.—The Board of Directors (in
23 this section referred to as the ‘Board’) is the gov-
24 erning body of the Center.

25 “(2) AUTHORITY OF POWERS.—

1 “(A) IN GENERAL.—The Board shall adopt
2 a constitution, bylaws, regulations, policies, and
3 procedures to carry out the purpose of the Cen-
4 ter and may take any other action that it con-
5 siders necessary (in accordance with the duties
6 and powers of the Center) for the management
7 and operation of the Center. The Board is re-
8 sponsible for the general policies and manage-
9 ment of the Center and for the control of all
10 funds of the Center.

11 “(B) POWERS OF BOARD.—The Board
12 shall have the power to do the following:

13 “(i) Adopt and alter a corporate seal.

14 “(ii) Establish and maintain offices to
15 conduct its activities.

16 “(iii) Enter into contracts or agree-
17 ments as a private entity not subject to the
18 requirements of title 41.

19 “(iv) Acquire, own, lease, encumber,
20 and transfer property as necessary and ap-
21 propriate to carry out the purposes of the
22 Center.

23 “(v) Publish documents and other
24 publications in a publicly accessible man-
25 ner.

1 “(vi) Incur and pay obligations as a
2 private entity not subject to the require-
3 ments of title 31.

4 “(vii) Make or issue grants and in-
5 clude any conditions on such grants in fur-
6 therance of the purpose and duties of the
7 Center.

8 “(viii) Perform any other act nec-
9 essary and proper to carry out the pur-
10 poses of the Center as described in its con-
11 stitution and bylaws or duties outlined in
12 this section.

13 “(3) MEMBERSHIP OF THE BOARD.—

14 “(A) IN GENERAL.—The Board shall have
15 11 Directors as follows:

16 “(i) EX-OFFICIO MEMBERSHIP.—The
17 following individuals, or their designees,
18 shall be considered ex-officio members of
19 the Board:

20 “(I) The Administrator of the
21 Federal Aviation Administration.

22 “(II) The Executive Director,
23 pursuant to paragraph (5)(D).

24 “(ii) APPOINTMENTS.—

1 “(I) IN GENERAL.—From among
2 those members of the public who are
3 highly respected and have knowledge
4 and experience in the fields of avia-
5 tion, finance, or academia—

6 “(aa) the Secretary of
7 Transportation shall appoint 5
8 members to the Board;

9 “(bb) the Secretary of De-
10 fense shall appoint 1 member to
11 the Board;

12 “(cc) the Secretary of Vet-
13 erans Affairs shall appoint 1
14 member to the Board;

15 “(dd) the Secretary of Edu-
16 cation shall appoint 1 member to
17 the Board;

18 “(ee) the Administrator of
19 the National Aeronautics and
20 Space Administration shall ap-
21 point 1 member to the Board.

22 “(II) TERMS.—

23 “(aa) IN GENERAL.—The
24 members appointed under sub-
25 clause (I) shall serve for a term

1 of 3 years and may be re-
2 appointed.

3 “(bb) STAGGERING
4 TERMS.—To ensure subsequent
5 appointments to the Board are
6 staggered, of the 9 members first
7 appointed under subclause (I), 3
8 shall be appointed for a term of
9 1 year, 3 shall be appointed for a
10 term of 2 years, and 3 shall be
11 appointed for a term of 3 years.

12 “(III) CONSIDERATION.—In con-
13 sidering whom to appoint to the
14 Board, the Secretaries and Adminis-
15 trator referenced in subclause (I)
16 shall, to the maximum extent prac-
17 ticable, ensure the overall composition
18 of the Board adequately represents
19 the fields of aviation and academia.

20 “(B) VACANCIES.—A vacancy on the
21 Board shall be filled in the same manner as the
22 initial appointment.

23 “(C) STATUS.—All Members of the Board
24 shall have equal voting powers, regardless if
25 they are ex-officio members or appointed.

1 “(4) CHAIR OF THE BOARD.—The Board shall
2 choose a Chair of the Board from among the mem-
3 bers of the Board that are not ex-officio members
4 under paragraph (3)(A)(i).

5 “(5) ADMINISTRATIVE MATTERS.—

6 “(A) MEETINGS.—

7 “(i) IN GENERAL.—The Board shall
8 meet at the call of the Chair but not less
9 than 2 times each year and may, as appro-
10 priate, conduct business by telephone or
11 other electronic means.

12 “(ii) OPEN.—

13 “(I) IN GENERAL.—Except as
14 provided in subclause (II), a meeting
15 of the Board shall be open to the pub-
16 lic.

17 “(II) EXCEPTION.—A meeting,
18 or any portion of a meeting, may be
19 closed if the Board, in public session,
20 votes to close the meeting because the
21 matters to be discussed—

22 “(aa) relate solely to the in-
23 ternal personnel rules and prac-
24 tices of the Center;

1 “(bb) may result in disclo-
2 sure of commercial or financial
3 information obtained from a per-
4 son that is privileged or confiden-
5 tial;

6 “(cc) may disclose informa-
7 tion of a personal nature where
8 disclosure would constitute a
9 clearly unwarranted invasion of
10 personal privacy; or

11 “(dd) are matters that are
12 specifically exempted from disclo-
13 sure by Federal or State law.

14 “(iii) PUBLIC ANNOUNCEMENT.—At
15 least 1 week before a meeting of the
16 Board, and as soon as practicable there-
17 after if there are any changes to the infor-
18 mation described in subclauses (I) through
19 (III), the Board shall make a public an-
20 nouncement of the meeting that de-
21 scribes—

22 “(I) the time, place, and subject
23 matter of the meeting;

24 “(II) whether the meeting is to
25 be open or closed to the public; and

1 “(III) the name and appropriate
2 contact information of a person who
3 can respond to requests for informa-
4 tion about the meeting.

5 “(iv) RECORD.—The Board shall keep
6 a transcript of minutes from each Board
7 meeting. Such transcript shall be made
8 available to the public in an accessible for-
9 mat, except for portions of the meeting
10 that are closed pursuant to subparagraph
11 (A)(ii)(II).

12 “(B) QUORUM.—A majority of members of
13 the Board shall constitute a quorum.

14 “(C) RESTRICTION.—No member of the
15 Board shall participate in any proceeding, ap-
16 plication, ruling or other determination, con-
17 tract claim, scholarship award, controversy, or
18 other matter in which the member, the mem-
19 ber’s employer or prospective employer, or the
20 member’s spouse, partner, or minor child has a
21 direct financial interest. Any person who vio-
22 lates this subparagraph may be fined not more
23 than \$10,000, imprisoned for not more than 2
24 years, or both.

1 “(D) EXECUTIVE DIRECTOR.—The Board
2 shall appoint and fix the pay of an Executive
3 Director of the Center (in this section referred
4 to as the ‘Executive Director’) who shall—

5 “(i) serve as a Member of the Board;

6 “(ii) serve at the pleasure of the
7 Board, under such terms and conditions as
8 the Board shall establish;

9 “(iii) is subject to removal by the
10 Board at the discretion of the Board; and

11 “(iv) be responsible for the daily man-
12 agement and operation of the Center and
13 for carrying out the purposes and duties of
14 the Center.

15 “(E) APPOINTMENT OF PERSONNEL.—The
16 Board shall designate to the Executive Director
17 the authority to appoint additional personnel as
18 the Board considers appropriate and necessary
19 to carry out the purposes and duties of the
20 Center.

21 “(F) PUBLIC INFORMATION.—Nothing in
22 this section may be construed to withhold dis-
23 closure of information or records that are sub-
24 ject to disclosure under section 552 of title 5.

1 “(c) PURPOSE OF THE CENTER.—The purpose of the
2 Center is to—

3 “(1) develop a skilled and robust U.S. aviation
4 and aerospace workforce;

5 “(2) provide a forum to support collaboration
6 and cooperation between governmental, non-govern-
7 mental, and private aviation and aerospace sector
8 stakeholders regarding the advancement of the U.S.
9 aviation and aerospace workforce, including general,
10 business, and commercial aviation, education, labor,
11 manufacturing and international organizations; and

12 “(3) serve as a repository for research con-
13 ducted by institutions of higher education, research
14 institutions, or other stakeholders regarding the
15 aviation and aerospace workforce, or related tech-
16 nical and skill development.

17 “(d) DUTIES OF THE CENTER.—In order to accom-
18 plish the purpose described in subsection (c), the Center
19 shall perform the following duties:

20 “(1) Improve access to aviation and aerospace
21 education and related skills training to help grow the
22 U.S. aviation and aerospace workforce, including—

23 “(A) assessing the current U.S. aviation
24 and aerospace workforce challenges and identi-
25 fying actions to address these challenges, in-

1 including by developing a comprehensive work-
2 force strategy;

3 “(B) establishing scholarship, apprentice-
4 ship, internship or mentorship programs for in-
5 dividuals who wish to pursue a career in an
6 aviation- or aerospace-related field, including
7 individuals in economically disadvantaged areas
8 or individuals who are members of underrep-
9 resented groups in the aviation and aerospace
10 sector;

11 “(C) supporting the development of avia-
12 tion and aerospace education curricula, includ-
13 ing syllabi, training materials, and lesson plans,
14 for use by middle schools and high schools, in-
15 stitutions of higher education, secondary edu-
16 cation institutions, or technical training and vo-
17 cational schools; and

18 “(D) building awareness of youth-oriented
19 aviation and aerospace programs and other out-
20 reach programs.

21 “(2) Support the personnel or veterans of the
22 Armed Forces seeking to transition to a career in
23 civil aviation or aerospace through outreach, train-
24 ing, apprenticeships, or other means.

1 “(3) Amplify and support the research and de-
2 velopment efforts conducted as part of the National
3 Aviation Research Plan, as required under section
4 44501(c), and work done at the Centers of Excel-
5 lence and Technical Centers of the Federal Aviation
6 Administration regarding the aviation and aerospace
7 workforce, or related technical and skills develop-
8 ment, including organizing and hosting symposiums,
9 conferences, and other forums as appropriate, be-
10 tween the Federal Aviation Administration, aviation
11 and aerospace stakeholders, and other interested
12 parties, to discuss current and future research ef-
13 forts and technical work.

14 “(e) GRANTS.—

15 “(1) IN GENERAL.—In order to accomplish the
16 purpose under subsection (c) and duties under sub-
17 section (d), the Center may issue grants to eligible
18 entities to—

19 “(A) create, develop, deliver, or update—

20 “(i) middle and high school aviation
21 curricula, including syllabi, training mate-
22 rials, equipment and lesson plans, that are
23 designed to prepare individuals to become
24 aircraft pilots, aerospace engineers, un-
25 manned aircraft system operators, aviation

1 maintenance technicians, or other aviation
2 maintenance professionals, or to support
3 the continuing education of any of the
4 aforementioned individuals; or

5 “(ii) aviation curricula, including syl-
6 labi, training materials, equipment and les-
7 son plans, used at institutions of higher
8 education, secondary education institu-
9 tions, or by technical training and voca-
10 tional schools, that are designed to prepare
11 individuals to become aircraft pilots, aero-
12 space engineers, unmanned aircraft system
13 operators, aviation maintenance techni-
14 cians, or other aviation maintenance pro-
15 fessionals, or to refresh the knowledge of
16 any of the aforementioned individuals; or

17 “(B) support the professional development
18 of educators using the curriculum in subpara-
19 graph (A);

20 “(C) establish new education programs
21 that teach technical skills used in aviation
22 maintenance, including purchasing equipment,
23 or to improve existing programs;

1 “(D) establish scholarships, internships or
2 apprenticeships for individuals pursuing em-
3 ployment in the aviation maintenance industry;

4 “(E) support outreach about educational
5 opportunities and careers in the aviation main-
6 tenance industry, including in economically dis-
7 advantaged areas; or

8 “(F) support the transition to careers in
9 aviation maintenance, including for members of
10 the Armed Forces.

11 “(2) ELIGIBLE ENTITIES.—An eligible entity
12 under this subsection includes—

13 “(A) an air carrier, as defined in section
14 40102, an air carrier engaged in intrastate or
15 intra-U.S. territorial operations, an air carrier
16 engaged in commercial operations covered by
17 part 135 or part 91 of title 14, Code of Federal
18 Regulations, operations, or a labor organization
19 representing aircraft pilots;

20 “(B) an accredited institution of higher
21 education or a high school or secondary school
22 (as defined in section 8101 of the Higher Edu-
23 cation Act of 1965 (20 U.S.C. 7801));

24 “(C) a flight school that provides flight
25 training, as defined in part 61 of title 14, Code

1 of Federal Regulations, or that holds a pilot
2 school certificate under part 141 of title 14,
3 Code of Federal Regulations;

4 “(D) a State or local governmental entity;
5 or

6 “(E) an organization representing aircraft
7 users, aircraft owners, or aircraft pilots;

8 “(F) a holder of a certificate issued under
9 part 21, 121, 135, or 145 of title 14, Code of
10 Federal Regulations or a labor organization
11 representing aviation maintenance workers; or

12 “(G) other organizations at the discretion
13 of the Board.

14 “(3) LIMITATION.—No organization that re-
15 ceives a grant under this section may sell or make
16 a profit from the creation, development, delivery, or
17 updating of high school aviation curricula.

18 “(f) ADMINISTRATIVE MATTERS OF THE CENTER.—

19 “(1) DETAILEES.—

20 “(A) IN GENERAL.—At the request of the
21 Center, the head of any Federal agency or de-
22 partment may, at the discretion of such agency
23 or department, detail to the Center, on a reim-
24 bursable basis, any employee of the agency or
25 department.

1 “(B) CIVIL SERVANT STATUS.—The detail
2 of an employee under subparagraph (A) shall be
3 without interruption or loss of civil service sta-
4 tus or privilege.

5 “(2) NAMES AND SYMBOLS.—The Center may
6 accept, retain, and use proceeds derived from the
7 Center’s use of the exclusive right to use its name
8 and seal, emblems, and badges incorporating such
9 name as lawfully adopted by the Board in further-
10 ance of the purpose and duties of the Center.

11 “(3) GIFTS, GRANTS, BEQUESTS, AND DE-
12 VISES.—The Center may accept, retain, use, and
13 dispose of gifts, grants, bequests, or devises of
14 money, services, or property from any public or pri-
15 vate source for the purpose of covering the costs in-
16 curred by the Center in furtherance of the purpose
17 and duties of the Center.

18 “(4) VOLUNTARY SERVICES.—The Center may
19 accept from any person voluntary services to be pro-
20 vided in furtherance of the purpose and duties of the
21 Center.

22 “(g) RESTRICTIONS OF THE CENTER.—

23 “(1) PROFIT.—The Center may not engage in
24 business activity for profit.

1 “(2) STOCKS AND DIVIDENDS.—The Center
2 may not issue any shares of stock or declare or pay
3 any dividends.

4 “(3) POLITICAL ACTIVITIES.—The Center shall
5 be nonpolitical and may not provide financial aid or
6 assistance to, or otherwise contribute to or promote
7 the candidacy of, any individual seeking elective pub-
8 lic office or political party. The Center may not en-
9 gage in activities that are, directly, or indirectly, in-
10 tended to be or likely to be perceived as advocating
11 or influencing the legislative process.

12 “(4) DISTRIBUTION OF INCOME OR ASSETS.—
13 The assets of the Center may not inure to the ben-
14 efit of any member of the Board, or any officer or
15 employee of the Center or be distributed to any per-
16 son. This subsection does not prevent the payment
17 of reasonable compensation to any officer, employee,
18 or other person or reimbursement for actual and
19 necessary expenses in amounts approved by the
20 Board.

21 “(5) LOANS.—The Center may not make a loan
22 to any member of the Board or any officer or em-
23 ployee of the Center.

24 “(6) NO CLAIM OF GOVERNMENTAL APPROVAL
25 OR AUTHORITY.—The Center may not claim ap-

1 proval of Congress or of the authority of the United
2 States for any of its activities.

3 “(h) ADVISORY COMMITTEE.—

4 “(1) IN GENERAL.—The Executive Director
5 shall appoint members to an advisory committee
6 subject to approval by the Board. Members of the
7 Board may not sit on the advisory committee.

8 “(2) MEMBERSHIP.—The advisory committee
9 shall consist of 15 members who represent various
10 aviation industry and labor stakeholders, stakeholder
11 associations, and others as determined appropriate
12 by the Board. The advisory committee shall select a
13 Chair and Vice Chair from among its members by
14 majority vote. Members of the advisory committee
15 shall be appointed for a term of 5 years.

16 “(3) DUTIES.—The advisory committee shall—

17 “(A) provide recommendations to the
18 Board on an annual basis regarding the prior-
19 ities for the activities of the Center;

20 “(B) consult with the Board on an ongoing
21 basis regarding the appropriate powers of the
22 Board to accomplish the purposes and duties of
23 the Center;

1 “(C) provide relevant data and information
2 to the Center in order to carry out the duties
3 set forth in subsection (d); and

4 “(D) nominate United States citizens for
5 consideration by the Board to be honored annu-
6 ally by the Center for such citizens’ efforts in
7 promoting U.S. aviation or aviation education
8 and enhancing the aviation workforce in the
9 United States.

10 “(4) MEETINGS.—The provisions for meetings
11 of the Board under subsection (b)(5) shall apply as
12 similarly as is practicable to meetings of the advi-
13 sory committee.

14 “(i) WORKING GROUPS.—

15 “(1) IN GENERAL.—The Board may establish
16 and appoint the membership of the working groups
17 as determined necessary and appropriate to achieve
18 the purpose of the Center under subsection (c).

19 “(2) MEMBERSHIP.—Any working group estab-
20 lished by the Board shall have members representing
21 various aviation industry and labor stakeholders,
22 stakeholder associations, and others, as determined
23 appropriate by the Board. Once established, the
24 membership of such working group shall choose a

1 Chair from among the members of the working
2 group by majority vote.

3 “(3) TERMINATION.—Unless determined other-
4 wise by the Board, any working group established by
5 the Board under this subsection shall be constituted
6 for a time period of not more than 3 years.

7 “(j) RECORDS OF ACCOUNTS.—The Center shall keep
8 correct and complete records of accounts.

9 “(k) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—
10 The Center shall be operated in a manner and for pur-
11 poses that qualify the Center for exemption from taxation
12 under the Internal Revenue Code as an organization de-
13 scribed in section 501(c)(3) of such Code.

14 “(l) ANNUAL REPORT.—The Board shall submit an
15 annual report to the appropriate committees of Congress
16 that, at minimum,—

17 “(1) includes a review and examination of—

18 “(A) the activities performed as set forth
19 in subsections (d) and (e) during the prior fis-
20 cal year;

21 “(B) the advisory committee as described
22 under subsection (h); and

23 “(C) the working groups as described
24 under subsection (i); and

1 “(2) provides recommendations to improve the
2 role, responsibilities, and functions of the Center to
3 achieve the purpose set forth in subsection (c).

4 “(m) AUDIT BY THE DEPARTMENT OF TRANSPOR-
5 TATION INSPECTOR GENERAL.—

6 “(1) IN GENERAL.—Not later than 2 years
7 after the date on which the Center is established
8 under subsection (a), the inspector general of the
9 Department of Transportation shall conduct a re-
10 view of the Center.

11 “(2) CONTENTS.—The review shall—

12 “(A) include, at a minimum—

13 “(i) an evaluation of the efforts taken
14 at the Center to achieve the purpose set
15 forth in subsection (c); and

16 “(ii) the recommendations provided by
17 the Board in subsection (l)(2); and

18 “(B) provide any other information that
19 the inspector general determines is appropriate.

20 “(3) REPORT ON AUDIT.—

21 “(A) REPORT TO SECRETARY.—Not later
22 than 30 days after the date of completion of the
23 audit, the inspector general shall submit to the
24 Secretary a report on the results of the audit.

1 “(B) REPORT TO CONGRESS.—Not later
2 than 60 days after the date of receipt of the re-
3 port under subparagraph (A), the Secretary
4 shall submit to the appropriate committees of
5 Congress a copy of the report, together with, if
6 appropriate, a description of any actions taken
7 or to be taken to address the results of the
8 audit.

9 “(n) AUTHORIZATION OF APPROPRIATIONS.—In
10 order to carry out this section, there is authorized to be
11 appropriated for fiscal year 2023 and each fiscal year
12 thereafter an amount equal to 3 percent of the interest
13 from investment credited to the Airport and Airway Trust
14 Fund.

15 “(o) DEFINITIONS.—In this section:

16 “(1) APPROPRIATE COMMITTEES OF CON-
17 GRESS.—The term ‘appropriate committees of Con-
18 gress’ means the Committee on Transportation and
19 Infrastructure of the House of Representatives and
20 the Committee on Commerce, Science, and Trans-
21 portation of the Senate.

22 “(2) INSTITUTION OF HIGHER EDUCATION.—
23 The term ‘institution of higher education’ has the
24 meaning given such term in section 101 of the High-
25 er Education Act of 1965 (20 U.S.C. 1001).

1 “(3) STEM.—The term ‘STEM’ means science,
2 technology, engineering, and mathematics.”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 1 of title 49, United States Code, is amended by insert-
5 ing after the item relating to section 119 the following:
 “120. National Center for the Advancement of Aviation.”.

6 **SEC. 3. PREVENTION OF DUPLICATIVE PROGRAMS.**

7 The Board of Directors of the National Center for
8 the Advancement of Aviation established under section
9 120 of title 49, United States Code (as added by this Act),
10 shall coordinate with the Administrator of the Federal
11 Aviation Administration to prevent any programs of the
12 Center from duplicating programs established under sec-
13 tion 625 of the FAA Reauthorization Act of 2018 (49
14 U.S.C. 40101 note).

15 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

16 The budgetary effects of this Act, for the purpose of
17 complying with the Statutory Pay-As-You-Go Act of 2010,
18 shall be determined by reference to the latest statement
19 titled “Budgetary Effects of PAYGO Legislation” for this
20 Act, submitted for printing in the Congressional Record
21 by the Chairman of the House Budget Committee, pro-
22 vided that such statement has been submitted prior to the
23 vote on passage.