



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Sam Graves
 Chairman
 Jack Ruddy
 Staff Director

Rick Larsen
 Ranking Member
 Katherine W. Dedrick
 Democratic Staff Director

June 20, 2023

The Committee on Transportation and Infrastructure met at 10:00 a.m. on June 13, and 14, 2023, in 2167 Rayburn House Office Building, pursuant to notice, in an open session, with a quorum present, and considered the following measures:

An Amendment in the Nature of a Substitute to H.R. 3935, the “*Securing Growth and Robust Leadership in American Aviation Act.*”; and other matters cleared for consideration.

The Committee took the following actions:

H.R. 3935, the “*Securing Growth and Robust Leadership in American Aviation Act.*” The Subcommittee on Aviation was discharged from further consideration of H.R. 3935. The legislation was ordered to be favorably reported to the House, as amended, by a recorded vote of 63 yeas and 0 nays.

The vote was as follows:

Vote: 023			
On: Final Passage, H.R. 3935, as amended			
Yea	63	Nay	0
Member	Vote	Member	Vote
Mr. Graves of MO	Yea	Mr. Larsen of WA	Yea
Mr. Crawford	Yea	Ms. Norton	Yea
Mr. Webster of FL	Yea	Mrs. Napolitano	Yea
Mr. Massie		Mr. Cohen	Yea
Mr. Perry		Mr. Garamendi	Yea
Mr. Babin	Yea	Mr. Johnson of GA	Yea
Mr. Graves of LA	Yea	Mr. Carson	Yea
Mr. Rouzer	Yea	Ms. Titus	Yea
Mr. Bost	Yea	Mr. Huffman	Yea
Mr. LaMalfa	Yea	Ms. Brownley	Yea
Mr. Westerman	Yea	Ms. Wilson of FL	Yea
Mr. Mast	Yea	Mr. Payne	Yea

<i>Mrs. González-Colón</i>	Yea	Mr. DeSaulnier	Yea
Mr. Stauber	Yea	Mr. Carbajal	Yea
Mr. Burchett	Yea	Mr. Stanton	Yea
Mr. Johnson of SD	Yea	Mr. Allred	Yea
Mr. Van Drew	Yea	Ms. Davids of KS	Yea
Mr. Nehls	Yea	Mr. García of IL	Yea
Mr. Gooden of TX	Yea	Mr. Pappas	Yea
Mr. Mann	Yea	Mr. Moulton	Yea
Mr. Owens	Yea	Mr. Auchincloss	Yea
Mr. Yakym	Yea	Ms. Strickland	Yea
Mrs. Chavez-DeRemer	Yea	Mr. Carter of LA	Yea
Mr. Edwards	Yea	Mr. Ryan	Yea
Mr. Kean of NJ	Yea	Mrs. Peltola	Yea
Mr. D’Esposito	Yea	Mr. Menendez	Yea
Mr. Burlison	Yea	Ms. Hoyle of OR	Yea
Mr. James	Yea	Mrs. Sykes	Yea
Mr. Van Orden	Yea	Ms. Scholten	Yea
Mr. Williams of NY	Yea	Mrs. Foushee	Yea
Mr. Molinaro	Yea		
Mr. Collins	Yea		
Mr. Ezell	Yea		
Mr. Duarte	Yea		
Mr. Bean of FL	Yea		

The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 3935, offered by Mr. Graves of Missouri was AGREED TO, as amended, by voice vote.

Manager’s Amendment to the Amendment in the Nature of a Substitute to H.R. 3935, offered by Mr. Graves of Missouri (ANS 1) was AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Ms. Norton (Norton 058) (ANS 2); Page 346, line 24, strike “and”. Page 347, line 2, strike the period at the end and insert “; and”. Page 347, after line 2, insert the following: (4) the head of any agency or department of the Federal Government, including the President or the Vice President, that travels by rotorcraft over the District of Columbia.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 208) (ANS 3); At the end of title VII, add the following: SEC.____. REPEAL OF ESSENTIAL AIR SERVICE PROGRAM. Subchapter II of chapter 417 of title 49, United States Code, and the item relating to such subchapter in the analysis for chapter 417 of title 49, United States Code, are repealed.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mrs. Napolitano (Napolitano 012) (ANS 4); At the end of subtitle A of title IV, add the following: SEC. II. AVIATION EXCISE FUEL TAX. (a) IN GENERAL.—Section 47107(b) of title 49, United States Code, is amended— (1) in paragraph (1) by striking “local taxes” and inserting “State and local excise taxes”; and (2) by adding at the end the following: “(4) This subsection shall not apply to State or local general sales taxes nor to State or local generally applicable sales taxes.”. (b) REVENUES.—Section 47133 of title 49, United States Code, is amended— (1) in subsection (a) by striking “Local taxes” and inserting “State and local excise taxes”; and (2) by adding at the end the following: “(d) LIMITATION ON APPLICABILITY.—This subsection shall not apply to— “(1) State or local general sales taxes; or “(2) State or local generally applicable sales taxes.”.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Babin (Babin 031) (ANS 5); Page 726, strike line 22.; was **NOT AGREED TO** by voice vote.

En Bloc amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Babin (Babin 017) (ANS 6 En Bloc); At the end of title VIII of the bill, add the following: SEC. 834. RULE OF CONSTRUCTION. Nothing in this Act shall be construed to— (1) prevent airports from engaging in curb management practices, including determining and assigning curb designations, regulations, and to install and maintain upon any of the roadways or parts of roadways as many curb zones as necessary to aid in the regulation, control, and inspection of passenger loading and unloading; or (2) prevent airports from enforcing curb zones using sensor, camera, automated license plate recognition, and software technologies and issuing citations by mail to the registered owner of the vehicle.;

(Babin 020) (ANS 6 En Bloc); Page 579, line 12, strike “2 years” and insert “1 year”. Page 579, line 22, strike “2 years” and insert “1 year”. ;

(Babin 025) (ANS 6 En Bloc); Strike section 381.;

(Babin 026) (ANS 6 En Bloc); Strike section 122.;

(Babin 027) (ANS 6 En Bloc); Strike section 683.;

(Babin 028) (ANS 6 En Bloc); Strike section 687.;

(Babin 029) (ANS 6 En Bloc); Strike section 126.;

(Babin 032) (ANS 6 En Bloc); Page 180, line 24, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 382, line 15, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 618, line 20, strike “COMMERCIAL SPACE TRANSPORTATION” and insert “COMMERCIAL SPACE LAUNCH AND REENTRY”. Page 619, line 8, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 666, line 15, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 726, line 22, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 756, line 1, strike “COMMERCIAL SPACE TRANSPORTATION” and insert “COMMERCIAL SPACE LAUNCH AND REENTRY”. Page 756, line 11, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 756, line 26, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 757, line 1, strike “commercial space transportation” and insert “commercial space launch and reentry”. Page 757, line 4, strike “commercial space transportation” and insert “commercial space launch and reentry”.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Garamendi (Garamendi 059) (ANS 7); At the end of title VIII, add the following: SEC. _____. ELIGIBLE PROJECTS UNDER TIFIA. (a) DEFINITION OF PROJECT.—Section 601(a)(12)(G) of title 23, United States Code, is amended by striking “an eligible airport-related project (as defined in section 40117(a) of title 49) for which, not later than September 30, 2025,” and inserting “eligible project costs for a project at a commercial service airport (as defined in section 47102) for which, not later than September 30, 2028,”. (b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602(c)(1) of title 23, United States Code, is amended by striking “airport-related projects” and

inserting “projects at commercial service airports (as defined in section 47102 of title 49)”; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Bost (Bost 31) (ANS 8); At the end of title VIII, add the following: SEC. 8____. LIMITATIONS ON ADDITIONAL SLOT EXEMPTIONS. Section 41718 of title 49, United States Code, is amended by adding at the end the following: “(i) LIMITATIONS ON ADDITIONAL SLOT EXEMPTIONS.— Additional exemptions from the requirements of sections 49104(a)(5), 49109, and 41714 and subparts K, S, and T of part 93 of title 14, Code of Federal Regulations, to air carriers to operate limited frequencies and aircraft on routes to and from Ronald Reagan Washington National Airport, may only be granted if the Secretary finds that the exemptions will not— “(1) reduce air transportation in areas within the perimeter described in section 49109; “(2) decrease competition in multiple markets; “(3) reduce air travel options for communities served by small hub airports and medium hub airports both beyond and within the perimeter described in section 49109; “(4) strain current landside and airside capacity at Ronald Reagan Washington National Airport; “(5) adversely impact public health in communities surrounding Ronald Reagan Washington National Airport; “(6) pose additional risks to national security, national defense, and national intelligence, including risk to the security or protection of people and critical facilities or assets; “(7) pose a risk to the safety of the national airspace system; “(8) stress the aviation workforce, including air traffic controllers and pilots; “(9) increase air and noise pollution in communities surrounding Ronald Reagan Washington National Airport; “(10) result in the underutilization of the federally funded surface transportation assets, including the Washington Metropolitan Area Transit Authority’s Silver Line to Washington Dulles International Airport; “(11) increase roadway traffic in communities surrounding Ronald Reagan Washington National Airport; “(12) result in meaningfully increased travel delays; “(13) adversely impact operational performance at Ronald Reagan Washington National Airport; and “(14) adversely impact passenger experience.”; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Johnson of Georgia (Johnson GA 017) (ANS 9); At the end of title VIII, add the following: SEC. II. HYDROGEN-POWERED AIRCRAFT. (a) FAA AND DEPARTMENT OF ENERGY LEADERSHIP ON USING HYDROGEN TO INCREASE AVIATION DECARBONIZATION.— (1) IN GENERAL.—The Secretary of Transportation, acting primarily through the Administrator of the Federal Aviation Administration, and jointly with the Secretary of Energy, shall exercise leadership in the creation of Federal and international policies, and shall conduct studies, relating to the safe and efficient use of hydrogen to increase aviation decarbonization and reduce air and noise pollution. (2) EXERCISE OF LEADERSHIP.—In carrying out paragraph (1), the Secretary of Transportation, the Administrator, and the Secretary of Energy shall— (A) establish positions and goals for the use of hydrogen to increase aviation decarbonization; (B) through grant, contract, or interagency agreements, study the contribution the use of hydrogen would have on aviation decarbonization, including hydrogen as an input for conventional jet fuel, sustainable aviation fuel, and power to liquids or synthetic fuel, and on air pollution and noise pollution, and study ways of accelerating introduction of hydrogenpowered aircraft; (C) review grant eligibility requirements and other policies and requirements of the Federal Aviation Administration and the Department of Energy to identify ways to increase the use of hydrogen; (D) consider the needs of the aerospace industry, aviation suppliers, hydrogen producers, airlines, and other stakeholders when creating policies that enable the safe commercial deployment of hydrogen in aviation; (E) obtain input from the National Aeronautics and Space Administration, the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders regarding— (i) the efficient use of hydrogen to decarbonize aviation within United States airspace, including— (I) updating or modifying existing policies on such use; (II) barriers to, and benefits of, the introduction of aircraft powered with hydrogen;(III) the operational differences between aircraft powered with hydrogen and aircraft powered with other types of fuels; (IV) impacts on aircraft emissions; and (V) public, economic, and noise benefits of the operation of aircraft powered with hydrogen and associated aerospace industry activity; and (ii) other issues identified by the Secretary of Transportation, the Administrator, the Secretary of Energy, or the advisory committee established under subparagraph (F) that must be addressed to enable the safe and expeditious commercial deployment and safe and

efficient operation of aircraft powered with hydrogen; and (F) establish an advisory committee composed of representatives of the National Aeronautics and Space Administration, the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders to advise the Secretary of Transportation, the Administrator, and the Secretary of Energy on the activities carried out under this section and subsection (b). (3) INTERNATIONAL LEADERSHIP.—The Secretary of Transportation, the Administrator, and the Secretary of Energy, in the appropriate international forums, shall take actions that— (A) demonstrate global leadership in carrying out the activities required by paragraphs (1) and (2); (B) address the needs of the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders identified under paragraph (2); and (C) preserve the United States aviation competitiveness. (4) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation, acting primarily through the Administrator, and jointly with the Secretary of Energy, shall submit to the appropriate committees of Congress a report detailing— (A) the Secretary of Transportation’s, Administrator’s, and Secretary of Energy’s actions to exercise leadership in the creation of Federal and international policies, and of studies conducted, relating to the safe and efficient use of hydrogen to increase aviation decarbonization and improve air and noise pollution; (B) planned, proposed, and anticipated actions to update or modify existing policies related to hydrogen in the aviation sector, including those identified as a result of consultation with, and feedback from, the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders; and (C) a timeline for any actions to be taken to update or modify existing policies related to hydrogen. (b) FAA LEADERSHIP ON THE CERTIFICATION OF HYDROGEN-POWERED AIRCRAFT TO INCREASE AVIATION DECARBONIZATION.— (1) IN GENERAL.—The Administrator shall exercise leadership in the creation of Federal regulations, standards, and guidance relating to the safe and efficient use of hydrogen to increase aviation decarbonization, and reduce air and noise pollution. (2) EXERCISE OF LEADERSHIP.— In carrying out paragraph (1), the Administrator shall— (A) establish a viable path for the certification of hydrogen-powered aircraft that considers existing frameworks; (B) review certification regulations and other requirements of the Federal Aviation Administration to identify ways to facilitate the use of hydrogen; (C) consider the needs of the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders when creating regulations and standards that enable the safe commercial deployment of hydrogen in aviation; (D) obtain the input of the aerospace industry, aviation suppliers, hydrogen producers, airlines, airport sponsors, fixed base operators, and other stakeholders regarding— (i) the appropriate regulatory framework and timeline for permitting the safe and efficient use of hydrogen within United States airspace, including updating or modifying existing regulations on such use; (ii) how to accelerate the resolution of issues related to standards and regulations for the type certification and safe operation of aircraft powered with hydrogen; and (iii) other issues identified by the Administrator or the advisory committee established under subsection (a)(2)(F) that must be addressed to enable the safe and expeditious commercial deployment and safe and efficient operation of aircraft powered with hydrogen. (c) AIRPORT IMPROVEMENT PROGRAM USE OF FUNDS.—Section 47102 of title 49, United States Code, is amended— (1) in paragraph (3), by adding at the end the following: “(W) acquiring land for, or work necessary for constructing, reconstructing, repairing, or improving, or otherwise modifying an airport or airport facilities, or property adjacent to, or in the vicinity of, an airport but intended to support the airport to store and distribute hydrogen, sustainable aviation fuel, or electrification to power aircraft.”; and (2) in paragraph (13) (as redesignated by section 401), by inserting “, including hydrogen and electrification,” after “alternative fuels”. (d) CLEAN ENGINE AND AIRFRAME TECHNOLOGY PARTNERSHIP.—Section 47511(a) of title 49, United States Code, is amended by striking “jet fuels for civil subsonic airplanes” and inserting “jet fuels, hydrogen, and batteries for aircraft”. (e) CENTER OF EXCELLENCE FOR ALTERNATIVE JET FUELS AND ENVIRONMENT (ASCENT).— (1) IN GENERAL.—The Center of Excellence for Alternative Jet Fuels and Environment (ASCENT) shall conduct research on hydrogen to increase aviation decarbonization. Such research shall be in addition to any other research authorized to be carried out by the Center, including other research relating to hydrogen. (2) NATIONAL AVIATION RESEARCH PLAN.—Beginning with the first National Aviation Research Plan published after the date of enactment of this section, as required under section 44501(c) of title 49, United States Code, the Administrator of the Federal Aviation Administration shall include research on hydrogen to increase aviation decarbonization in such plan.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Ms. Titus (Titus 045) (ANS 10); Page 147, line 9, add “and” at the end. Page 147, strike “ ; and ” and insert “a semicolon”. Page 147, line 19, strike the first period and all that follows through the second period and insert the following: “(F) shall consider the economic viability of commercial air tour operations that would result from an air tour management plan.”; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Ms. Brownley (Brownley 050) (ANS 11); At the end of title VIII, add the following: SEC.____. HELICOPTER RECORDERS. (a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following: “§ 44744. Helicopter recorders “It shall be unlawful for any air carrier to operate a single or multiengine, turbine-powered helicopter with 1 or more passenger seats and 1 or more pilots without a flight data recorder and cockpit voice recorder that meet the requirements of section 91.609 of title 14, Code of Federal Regulations.”. (b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following: “44744. Helicopter recorders.”. (c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of enactment of this Act.; was **NOT AGREED TO** by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. DeSaulnier (DeSaulnier 020) (ANS 12); At the end of title VIII, add the following: SEC.____. SENSE OF CONGRESS ON TRANSPARENCY IN AVIATION INDUSTRY. It is the sense of Congress that the Administrator of the Federal Aviation Administration should take such actions as are necessary to ensure that air carriers and other persons providing air transportation are prohibited from hiding information determined to be important by the Administrator in any investigation regarding aircraft incidents, including incidents that result in death or injury.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Carbajal (Carbajal 026) (ANS 13); At the end of title VIII, add the following: SEC. 834. PFAS REPLACEMENT PROGRAM FOR AIRPORTS. (a) IN GENERAL.—The Secretary of Transportation shall establish a new program, subject to terms, conditions, and assurances acceptable to the Secretary, to reimburse certificate holders under part 139 of title 14, Code of Federal Regulations, for the reasonable and appropriate costs associated with any of the following: (1) The one-time initial acquisition by operators of airports certificated under part 139 of title 14, Code of Federal Regulations, of fluorine-free firefighting alternatives that satisfy the requirements of part 139 of title 14, Code of Federal Regulations, the volume of which shall be limited to that required by part 139 of title 14, Code of Federal Regulations. (2) The disposal of per- or polyfluoroalkyl products, including fluorinated aqueous film-forming agents, to the extent such disposal is necessary to facilitate the transition to an acceptable fluorine-free agent including aqueous film-forming agents currently in fire-fighting equipment, vehicles, and wastewater generated during the cleaning of firefighting equipment and vehicles. (3) Cleaning, decontamination, or disposal of existing equipment or components thereof, to the extent such cleaning, decontamination or disposal is necessary to facilitate the transition to an acceptable fluorine-free agent. (4) Any equipment or components thereof necessary to facilitate the transition to an acceptable fluorine-free agent. (5) Planning efforts to prepare for any environmental response actions or remediation actions associated with possible contamination of soil, groundwater, or sediments. (b) APPROPRIATIONS.—There is authorized to be appropriated \$250,000,000 to carry out the program set forth in subsection (a) of this section, to remain available for 5 years after the date in which the Administrator of the Federal Aviation Administration approves a fluorine free firefighting agent acceptable under 139.319(l) of title 14, Code of Federal Regulations. (c) REQUIREMENTS.— (1) IN GENERAL.—The funding program established under subsection (a) shall be in addition to any other funding program previously established by law. (2) DETERMINATION OF ELIGIBILITY.—The Secretary shall determine the eligibility of costs payable under this program by taking into account all engineering, technical, and environmental protocols and generally accepted industry standards that are developed or established for fluorine free foams. (3) COMPLIANCE WITH OTHER LAWS.—All actions related to the acquisition, disposal and transition to fluorine free foams, including the cleaning, decontamination and disposal of equipment, must be

conducted in full compliance will all applicable federal laws to be eligible for reimbursement under this section.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Nehls (Nehls 037 Revised 3) (ANS 14); At the end of subtitle C of title III, add the following: SEC. 330. AGE STANDARDS FOR PILOTS. Section 44729 of title 49, United States Code, is amended— (1) in subsection (a)— (A) by striking “Subject to the limitation in subsection (c), a” and inserting “A”; and (B) by striking “65” and inserting “67”; (2) in subsection (b)(1) by striking “; or” and inserting “, unless the operation takes place in airspace where such operations are not permitted; or”; (3) by striking subsection (c) and redesignating subsections (d) through (h) as subsections (c) through (g), respectively; (4) in subsection (c), as so redesignated— (A) in the heading by striking “60” and inserting “65”; (B) by striking “the date of enactment of this section,” and inserting “the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act,”; (C) by striking “section 121.383(c)” and inserting “subsections (d) and (e) of section 121.383”; and (D) by inserting “(or any successor regulations)” after “regulations”; (5) in subsection (d) as so redesignated— (A) in paragraph (1)— (i) in the heading by striking “NONRETROACTIVITY” and inserting “RETROACTIVITY”; and (ii) by striking “No person” and all that follows through the period at the end and inserting “A person who has attained 65 years of age on or before the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may return to service as a pilot for an air carrier engaged in covered operations.”; and (B) in paragraph (2) by striking “section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of this section in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may” and inserting “section or taken in conformance with a regulation issued to carry out this section, may”; and (6) by adding at the end the following: “(h) SAVINGS CLAUSE.—An air carrier engaged in covered operations described in subsection (b)(1) on or after the date of enactment of the Securing Growth and Robust Leadership in American Aviation Act may not require employed pilots to serve in such covered operations after attaining 65 years of age.”.; was AGREED TO by a recorded vote of 32 yeas and 31 nays (Roll Call No. 018).

The vote was as follows:

Vote: 018			
On: Amendment to ANS H.R. 3935 offered by Mr. Nehls 037			
Yea	32	Nay	31
Member	Vote	Member	Vote
Mr. Graves of MO	Yea	Mr. Larsen of WA	Nay
Mr. Crawford	Yea	<i>Ms. Norton</i>	Nay
Mr. Webster of FL	Yea	Mrs. Napolitano	Nay
Mr. Massie	Yea	Mr. Cohen	Nay
Mr. Perry	Yea	Mr. Garamendi	Nay
Mr. Babin	Yea	Mr. Johnson of GA	Nay
Mr. Graves of LA	Yea	Mr. Carson	Nay
Mr. Rouzer	Yea	Ms. Titus	Nay
Mr. Bost	Yea	Mr. Huffman	Nay
Mr. LaMalfa	Yea	Ms. Brownley	Nay
Mr. Westerman	Yea	Ms. Wilson of FL	Nay
Mr. Mast	Yea	Mr. Payne	Nay
<i>Mrs. González-Colón</i>	Yea	Mr. DeSaulnier	Nay

Mr. Stauber		Mr. Carbajal	Nay
Mr. Burchett	Yea	Mr. Stanton	Nay
Mr. Johnson of SD	Yea	Mr. Allred	Nay
Mr. Van Drew	Yea	Ms. Davids of KS	Nay
Mr. Nehls	Yea	Mr. García of IL	Nay
Mr. Gooden of TX	Yea	Mr. Pappas	Nay
Mr. Mann	Yea	Mr. Moulton	Nay
Mr. Owens	Yea	Mr. Auchincloss	Nay
Mr. Yakym	Yea	Ms. Strickland	Nay
Mrs. Chavez-DeRemer	Yea	Mr. Carter of LA	Nay
Mr. Edwards	Yea	Mr. Ryan	Nay
Mr. Kean of NJ	Yea	Mrs. Peltola	Nay
Mr. D’Esposito		Mr. Menendez	Nay
Mr. Burlison	Yea	Ms. Hoyle of OR	Nay
Mr. James	Yea	Mrs. Sykes	Nay
Mr. Van Orden	Yea	Ms. Scholten	Nay
Mr. Williams of NY	Yea	Mrs. Foushee	Nay
Mr. Molinaro	Nay		
Mr. Collins	Yea		
Mr. Ezell	Yea		
Mr. Duarte	Yea		
Mr. Bean of FL	Yea		

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Stanton (Stanton 025) (ANS 15); At the end of subtitle A of title VII, insert the following: SEC.____. SEATING ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS WITH DISABILITIES. (a) IN GENERAL.— (1) ADVANCED NOTICE OF PROPOSED RULES MAKING.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue an advanced notice of proposed rulemaking regarding seating accommodations for any qualified individual with a disability. (2) NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the date on which the advanced notice of proposed rulemaking under paragraph (1) is completed, the Secretary shall issue a notice of proposed rulemaking regarding seating accommodations for any qualified individual with a disability. (3) FINAL RULE.—Not later than 1 year after the date on which the notice of proposed rulemaking under paragraph (2) is completed, the Secretary shall issue a final rule regarding seating accommodations for any qualified individual with a disability. (b) REQUIREMENTS.—In carrying out any rulemaking under subsection (a), the Secretary shall consider the following: (1) The scope and anticipated number of qualified individuals with a disability who— (A) may need to be seated with a companion to receive assistance during a flight; or (B) should be afforded bulkhead seats or other seating considerations. (2) The types of disabilities that may need seating accommodations. (3) Whether such qualified individuals with a disability are unable to obtain, or have difficulty obtaining, such a seat. (4) The scope and anticipated number of individuals assisting a qualified individual with a disability who should be afforded an adjoining seat pursuant to section 382.81 of title 14, Code of Federal Regulations. (5) Any notification given to qualified individuals with a disability regarding available seating accommodations. (6) Any method that is adequate to identify fraudulent claims for seating accommodations. (7) Any other information determined appropriate by the Secretary. (c) PILOT PROGRAM.— (1) ESTABLISHMENT.— (A) IN GENERAL.—The Secretary shall establish a pilot program to allow approved program participants as known service animal users for the purpose of

exemption from the documentation requirements under part 382 of title 14, Code of Federal Regulations, with respect to air travel with a service animal. (B) REQUIREMENTS.—The pilot program established under subparagraph (A) shall— (i) be optional; (ii) provide to applicants assistance, including over-the-phone assistance, throughout the application process for the program; (iii) with respect to any web-based components of the pilot program, meet or exceed the standards described in section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) and the regulations implementing that Act as set forth in part 1194 of title 36, Code of Federal Regulations; and (iv) exempt participants of the pilot program from any documentation requirements under part 382 of title 14, Code of Federal Regulations. (2) CONSULTATION.—In establishing the pilot program under paragraph (1), the Secretary shall consult with— (A) disability advocacy entities, including nonprofit organizations focused on ensuring that individuals with disabilities are able to live and participate in their communities; (B) air carriers and foreign air carriers; (C) accredited service animal training programs and authorized registrars, such as the International Guide Dog Federation, Assistance Dogs International, and other similar organizations and foreign and domestic governmental registrars of service animals; (D) other relevant departments or agencies of the Federal Government; and (E) other entities determined to be appropriate by the Secretary. (3) ELIGIBILITY.—To be eligible to participate in the pilot program under this subsection, an individual shall— (A) be a qualified individual with a disability; (B) require the use of a service animal because of a disability; and (C) submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. (4) CLARIFICATION.—The Secretary may award a grant or enter into a contract or cooperative agreement in order to carry out this subsection. (5) NOMINAL FEE.—The Secretary may require an applicant to pay a nominal fee (not to exceed \$25) to participate in the pilot program. (6) REPORTS TO CONGRESS.— (A) PLANNING REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a publicly available report describing the implementation plan for the pilot program under this subsection. (B) ANNUAL REPORT.—Not later than 1 year after the establishment of the pilot program under this subsection, and annually thereafter until the date described in paragraph (7), the Secretary shall submit to the appropriate committees of Congress a publicly available report on the progress of the pilot program. (C) FINAL REPORT.—Not later than 5 years after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a publicly available final report that includes recommendations for the establishment and implementation of a permanent known service animal user travel program for the Federal Government. (7) SUNSET.—The pilot program shall terminate on the date that is 5 years after the date of enactment of this section. (d) ACCREDITED SERVICE ANIMAL TRAINING PROGRAMS AND AUTHORIZED REGISTRARS.—Not later than 6 months after the date of enactment of this section, the Secretary shall publish on the website of the Department of Transportation and maintain a list of— (1) accredited programs that train service animals; and (2) authorized registrars that evaluate service animals. (e) REPORT TO CONGRESS ON SERVICE ANIMAL REQUESTS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report on requests for air travel with service animals, including— (1) during the reporting period, how many requests to board an aircraft with a service animal were made; and (2) the number and percentage of such requests, categorized by type of request, that were reported by air carriers or foreign air carriers as— (A) granted; (B) denied; or (C) fraudulent. (f) TRAINING.— (1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall, in consultation with the Air Carrier Access Act Advisory Committee, issue guidance regarding improvements to training for airline personnel (including contractors) in recognizing when a qualified individual with a disability is traveling with a service animal. (2) REQUIREMENTS.—The guidance issued under paragraph (1) shall— (A) take into account respectful engagement with and assistance for individuals with a wide range of visible and non-visible disabilities; (B) provide information on— (i) service animal behavior and whether the service animal is appropriately harnessed, leashed, or otherwise tethered; and (ii) the various types of service animals, such as guide dogs, hearing or signal dogs, psychiatric service dogs, sensory or social signal dogs, and seizure response dogs; and (C) outline the rights and responsibilities of the handler of the service animal. (g) DEFINITIONS.—In this section, the following definitions apply: (1) AIR CARRIER.—The term “air carrier” has the meaning given that term in section 40102 of title 49, United States Code. (2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives. (3) FOREIGN AIR CARRIER.—The term “foreign air carrier” has the meaning given that term in section 40102 of title 49, United States

Code. (4) QUALIFIED INDIVIDUAL WITH A DISABILITY.—The term “qualified individual with a disability” has the meaning given that term in section 382.3 of title 14, Code of Federal Regulations. (5) SECRETARY.—The term “Secretary” means the Secretary of Transportation. (6) SERVICE ANIMAL.—The term “service animal” has the meaning given that term in section 382.3 of title 14, Code of Federal Regulations.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mrs. González-Colón (González-Colón 027) (ANS 16); At the end of title VIII, add the following: SEC.____. CARGO NAVIGATION IN PUERTO RICO. (a) IN GENERAL.—For the period of 5 years beginning on the date of enactment of this Act, section 41703(e) of title 49, United States Code, shall be deemed to apply to Puerto Rico in the same manner as such subsection applies to Alaska. (b) REPORT.—Not later than 1 year after enactment of this Act, and each year thereafter during the 5-year period described in subsection (a), the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation a report that describes the effects of subsection (a). Such report shall include an analysis of data related to changes in air cargo operations, economic effect, stakeholder support, and any other factor the Secretary considers appropriate.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. García of Illinois (García IL 037) (ANS 17); At the end of title VIII, add the following: SEC.____. STUDY ON AIRPORT SLOT PROCESSES. The Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study assessing the transparency of the slot processes applied to airports, focusing on such process with respect to competition.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Van Drew (Van Drew 038) (ANS 18); After section 140, insert the following: SEC. 141. OFFICE OF ADVANCED AVIATION TECHNOLOGY AND INNOVATION. Section 106 of title 49, United States Code, is further amended by adding at the end the following: “(u) OFFICE OF THE ASSOCIATE ADMINISTRATOR FOR ADVANCED AVIATION TECHNOLOGY AND INNOVATION.— “(1) ESTABLISHMENT.—There is established in the Federal Aviation Administration the Office of Advanced Aviation Technology and Innovation (in this subsection referred to as the ‘Office’). “(2) ASSOCIATE ADMINISTRATOR.—The Office shall be headed by an Associate Administrator, who shall— “(A) be appointed by the Administrator; and “(B) report directly to the Administrator. “(3) PURPOSES.—The purposes of the Office are to— “(A) serve as an entry point for stakeholders to share information with the Federal Aviation Administration on advanced aviation technologies; “(B) examine the potential impact of advanced aviation technologies on the national airspace system, and methods to safely integrate into the national airspace system; “(C) work collaboratively with subject matter experts from all lines of business and staff offices to examine advanced aviation technologies and concepts for integration into the national airspace system in an expeditious manner that takes into account acceptable levels of risk; “(D) lead cross-U.S. government collaborative efforts to develop integrated approaches for the acceleration and deployment of Advanced Technologies; “(E) provide leadership with regard to internal collaboration, industry engagement, and collaboration with international partners; “(F) lead cross-FAA integration, planning, coordination, and collaboration in support of the integration of advanced aviation technologies ; “(G) support the development of safety cases for advanced aviation technologies in coordination with the operational approval office; and “(H) coordinate and review approval of advanced aviation technologies, including support to and approval of any required rulemakings, exemptions, waivers, or other types of authorizations, as appropriate. “(4) DUTIES.—The Associate Administrator shall— “(A) establish, manage, and oversee the Office of Advanced Aviation Technology and Innovation; “(B) develop and maintain a comprehensive strategy and action plan for fully integrating advanced aviation technologies into the national aviation ecosystem and providing full authorization for operations at scale for each of these technologies; “(C) collaborate with Federal Aviation Administration organizations to identify and develop specific recommendations to address skills gaps in the existing engineer and inspector workforce involved in the certification and operational

approval of safety technology; “(D) coordinate and review, as appropriate, rulemaking activities related to advanced aviation technologies, including by scoping complex regulatory issues, evaluating internal processes, and positioning the Federal Aviation Administration to support aerospace innovation; “(E) coordinate and review, as appropriate, applications for type, production, or airworthiness certificates, or alternatives to airworthiness certificates, operating and pilot certification, and airspace authorizations, among others, related to advanced aviation technologies; “(F) coordinate and review, as appropriate, applications for waivers, exemptions and other operational authorizations; “(G) coordinate and review the implementation of the process required by section 2209 of the FAA Extension, Safety, and Security Act of 2016 (as amended) (49 U.S.C. 40101 note); “(H) coordinate with the Chief Operating Officer of the Air Traffic Organization and other agency leaders to develop policies to address airspace integration issues at all levels of uncontrolled and controlled airspace; “(I) implement the BEYOND program and the UAS Test Site Program, among others, and develop other pilot programs in partnership with industry stakeholders and State, local, and Tribal Governments to enable highly automated and autonomous operations of Advanced Technologies unmanned aircraft systems, AAM, and other innovative aviation technologies at scale by providing the data necessary to support rulemakings and other approval processes; “(J) serve as the designated Federal officer to the Advanced Aviation Technology and Innovation Steering Committee; and “(K) serve as the Federal Aviation Administration lead for the Drone Safety Team. “(5) CONGRESSIONAL BRIEFINGS.—Not later than 60 days after establishing the position in paragraph (1), and on a quarterly basis thereafter, the Administrator shall brief the appropriate committees of Congress on the status of— “(A) implementing the comprehensive strategy and action plan for fully integrating aviation technologies into the national aviation ecosystem and providing full authorization for operations at scale for each of these technologies; “(B) rulemakings, major guidance documents, and other agency pilot programs or initiatives supporting the comprehensive strategy and action plan; “(C) implementing recommendations from the Advanced Aviation Technology and Innovation Steering Committee; and “(D) engagement with international aviation regulators to develop global standards for advanced aviation technologies. “(6) UAS INTEGRATION OFFICE.—Not later than 90 days after the date of enactment of this subsection, the functions, duties and responsibilities of the UAS Integration Office shall be incorporated into the Office. “(7) DEFINITIONS.—In this subsection: “(A) AAM.—The term ‘AAM’ has the meaning given the term ‘advanced air mobility’ in section 2(i)(1) of the Advanced Air Mobility Coordination and Leadership Act (49 U.S.C. 40101 note). “(B) ADVANCED AVIATION TECH2 NOLOGIES.—The term ‘advanced aviation technologies’ means technologies for which introduction has potential safety implications and shall include unmanned aircraft systems, powered-lift aircraft, electric propulsion, and super- and hypersonic aircraft.”; WAS WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Carter of Louisiana (Carter LA WORD1) (ANS 19); “Requiring the FAA to establish additional test sites dedicated to over 55lbs L-UAS and AAM aircraft including over the Gulf of Mexico, a region of strategic national importance.”; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Owens (Owens 013) (ANS 20); At the end of subtitle A of title IV, add the following: SEC.____. ADDITIONAL WITHIN AND BEYOND PERIMETER SLOT EXEMPTIONS AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT. (a) INCREASE IN NUMBER OF SLOT EXEMPTIONS.— Section 41718 of title 49, United States Code, is amended by adding at the end the following new subsection: “(i) ADDITIONAL SLOT EXEMPTIONS.— “(1) INITIAL INCREASE IN SLOT EXEMPTIONS.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall grant, by order, 28 exemptions from— “(A) the application of sections 49104(a)(5), 49109, and 41714 to air carriers to operate limited frequencies and aircraft on routes between Ronald Reagan Washington National Airport and airports located within or beyond the perimeter described in section 49109; and “(B) the requirements of subparts K, S, and T of part 93, Code of Federal Regulations. “(2) INCREMENTAL DCA SLOT ALLOCATIONS.— Of the 28 initial slot exemptions made available under paragraph (1), the Secretary shall make 20 available to incumbent air carriers qualifying for status as a non-limited incumbent carrier and 8 available to incumbent carriers qualifying for status as a limited incumbent carrier at Ronald Reagan Washington National Airport as of the date of enactment of this

subsection. Each such air carrier— “(A) may operate up to a maximum of 4 of the newly authorized slot exemptions; “(B) shall have sole discretion concerning the use of an exemption made available under paragraph (1), including the initial or any subsequent within or beyond perimeter destinations to be served; and “(C) shall file a notice of intent with the Secretary and subsequent notices of intent, when appropriate, to inform the Secretary of any change in circumstances concerning the use of any exemption made available under paragraph (1). “(3)(A) SUBSEQUENT INCREASE IN SLOT EXEMPTIONS.—Not later than 180 days following the Secretary’s grant of the 28 initial slot exemptions under paragraph (1), the Secretary shall grant, by order, an additional 28 slot exemptions, 20 of which shall be made available to incumbent air carriers qualifying for status as a non-limited incumbent carrier, and 8 of which shall be made available to incumbent carriers qualifying for status as a limited incumbent carrier at Ronald Reagan Washington National Airport as of the date of enactment of this subsection. “(B) CONDITIONS.—These additional 28 slot exemptions shall be subject to the same terms and conditions specified under paragraph (2). “(C) EXCEPTION.—These additional 28 slot exemptions shall not be allocated to air carriers by the Secretary if, prior to the expiration of the 180 day period referenced in this paragraph, the Administrator of the Federal Aviation Administration publishes a report concluding definitively that Ronald Reagan Washington National Airport cannot accommodate 28 additional each-way flights on a representative day without materially and adversely impacting congestion in the national airspace system generally and flight delays and cancellations at DCA specifically. “(D) NO IMPACT ON INITIAL 28 SLOT EXEMPTIONS.—Any adverse findings by the FAA under paragraph (3)(C) shall not have any impact on the initial 28 slot exemptions granted under paragraph (1). “(4) NOTICES OF INTENT.—Notices of intent under paragraph (2)(C) shall specify the within or beyond perimeter destinations to be served. “(5) CONDITIONS.—Flight operations carried out by an air carrier using an exemption granted under this subsection shall be subject to the following conditions: “(A) An air carrier granted an exemption under this subsection is prohibited from transferring the rights to its slot exemptions pursuant to section 41714(j). “(B) The exemptions granted under paragraphs (2) and (3)— “(i) may not be for operations between the hours of 10:00 p.m. and 7:00 a.m.; and “(ii) may not increase the number of operations at Ronald Reagan Washington National Airport in any 1-hour period during the hours between 7:00 a.m. and 9:59 p.m. by more than 8 operations.”. (b) PRESERVATION OF EXISTING WITHIN-PERIMETER AIR SERVICE.—In recognition of the importance of preserving existing air service between Ronald Reagan Washington National Airport and within-perimeter airports and communities, and for the avoidance of doubt, none of the provisions in this subsection shall be construed to authorize any limited incumbent or non-limited incumbent carrier holding slots or slot exemptions at Ronald Reagan Washington National Airport as of the date of enactment of this subsection to use an existing within-perimeter slot to serve an airport beyond the perimeter described in section 49109. (c) CONFORMING AMENDMENTS.—Section 41718 of title 49, United States Code, is amended— (1) in subsection (c)(2)— (A) in subparagraph (A)— (i) in clause (i), by inserting “or (i)(2) or (i)(3)” after “(g)(2)”; and (ii) in clause (ii), by striking “and (g)” and inserting “(g), and (i)”; and (B) in subparagraph (B), by inserting “or (i)(2) or (i)(3)” after “(g)(3)”; and (2) in subsection (h)(1), by inserting “or (i)” after “subsection (g)”; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Ryan (Ryan 016) (ANS 21); Strike section 328 and insert the following: SEC. ____ AVIATION MEDICAL INNOVATION AND MODERNIZATION WORKING GROUP. (a) IN GENERAL.—Not later than 120 days after the date of enactment of this section, the Administrator shall establish the Aviation Medical Innovation and Modernization Working Group (in this section referred to as the “Working Group”) and appoint members of the Working Group in accordance with subsection (b). (b) MEMBERSHIP.— (1) NUMBER.—The members of the Working Group shall not exceed 20 individuals. (2) COMPOSITION.— (A) FEDERAL AIR SURGEON.—The Federal Air Surgeon shall be a member of the Working Group and shall be the Chair of the Working Group. (B) SENIOR AVIATION MEDICAL EXAMINERS.—In addition to the Federal Air Surgeon, at least 8 members of the Working Group shall be individuals who are Senior Aviation Medical Examiners. (C) OTHER MEMBERS.—In addition to the Federal Air Surgeon and the members appointed under subparagraph (B), the remaining members shall be licensed medical physicians with substantial expertise in— (i) aerospace medicine; (ii) psychological medicine; (iii) neurological medicine; (iv) cardiovascular medicine; or (v) internal medicine. (D) PREFERENCE IN APPOINTMENTS.— The Administrator shall give preference to appointing members of the Working Group who are Aviation Medical Examiners or licensed medical

physicians who have demonstrated research and expertise in aviation medical issues. (E) USE OF SUBGROUPS.—The Working Group Administrator may use subgroups to develop the recommendations under subsection (e). (c) RECOMMENDATIONS.—The Working Group shall develop a report that includes recommendations with respect to the following areas: (1) Evaluation of the conditions an Aviation Medical Examiner can issue. (2) Improvements and reforms to the Special Issuance process, including whether, after initial medical certification by the FAA, renewals can be based on a medical evaluation and treatment plan by a pilot’s treating medical specialist with concurrence from the pilot’s Aviation Medical Examiner. (3) Development of an online medical portal administered by the FAA that— (A) adheres to cybersecurity protections and protocols; (B) authorizes Aviation Medical Examiners, pilots, or their designee, to securely share medical records; (C) provides timely updates for a pilot’s medical application and improves return to flying timelines; (D) provides pilots with the ability to submit additional information requested from the FAA; (E) includes the method to contact the reviewing office; and (F) such other requirements as the Working Group may recommend. (4) The use of technologies to address forms of red-green color blindness for pilots. (5) Improvements to Attention-Deficit Hyperactivity Disorder and Attention Deficit Disorder protocols. (6) Improvements to neurology protocols, specifically, stroke, head injury, and known loss of consciousness. (7) Improvements to FAA mental health protocols, including, but not limited to, mental health conditions such as depression and anxiety, the use of medications for treating mental health conditions, and neurocognitive testing rules and applicability. (d) REPORT.—Not later than 1 year after the date on which the Working Group is established— (1) the Working Group shall submit the report developed in accordance with subsection (c) to the Administrator, along with recommendations for such legislation and administrative action as the Working Group determines appropriate; and (2) the Administrator shall submit such report and recommendations to the appropriate committees of Congress. (e) ACTIONS BY THE ADMINISTRATOR.—The Administrator may take such action as the Administrator determines appropriate to implement the recommendations in the report under submitted under subsection (d). (f) EXEMPTION FROM THE FEDERAL ADVISORY COMMITTEE ACT.—Chapter 10 of title 5, United States Code, shall not apply to the Working Group. (g) SUNSET.—The Working Group shall terminate on the date on which the Working Group submits the report required by subsection (d). (h) PILOT MENTAL HEALTH TASK GROUP.— (1) ESTABLISHMENT.—Not later than 120 days after the working group pursuant to subsection (a) is established, the co-chairs of such working groups shall establish a pilot mental health task group (referred to in this subsection as the “task group”) to develop and provide recommendations related to supporting the mental health of aircraft pilots. (2) COMPOSITION.—The co-chairs of such working group shall appoint— (A) a Chair of the task group; and (B) members of the task group from among the members of the working group appointed by the Administrator under subsection (b)(1). (3) DUTIES.—The duties of the task group shall include— (A) carrying out the activities described in subsection (c)(11) and subsection (c)(12); (B) reviewing and evaluating guidance issued by the International Civil Aviation Organization on pilot mental health; and (C) providing recommendations for— (i) best practices for detecting, assessing, and reporting mental health conditions and treatment options as part of pilot aeromedical assessments; (ii) improving the training of aviation medical examiners to identify mental health conditions among pilots, including guidance on referrals to a mental health provider or other aeromedical resource; (iii) expanding and improving mental health outreach, education, and assistance programs for pilots; and (iv) reducing the stigma of assistance for mental health in the aviation industry. (4) REPORT.—Not later than 2 years after the date of the establishment of the task group, the task group shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report detailing— (A) the results of the review and evaluation under paragraph (3)(A); and (B) recommendations developed pursuant to paragraph (3)(C).; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Mast (Mast 048) (ANS 22); At the end of title VIII, add the following: SEC. 834. LIMITED REGULATION OF NON-FEDERALLY SPON2 SORED PROPERTY. (a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall issue a final determination on the applicability of section 163 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47107 note) not later than 40 days after receipt of a request from an airport sponsor for such determination. (b) FAILURE TO ACT.—If the Administrator fails to act within the time period described in subsection (a), the proposed land use for which a determination under such subsection was requested shall conclusively be deemed to be outside

the jurisdiction of the Federal Aviation Administration pursuant to section 163 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47107 note). (c) DETERMINATION.—If the Administrator determines that the Federal Aviation Administration retains jurisdiction over a proposed land use for which a determination under subsection (a) was requested under section 163 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47107 note), and further determines that review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is required for such proposed land use, the Administrator shall formally initiate the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) not later than 90 days after the issuance of the final determination of the Administrator.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Menendez (Menendez 009) (ANS 23); Page 731, line 12, insert “(A) IN GENERAL.—” before “Section”. Page 731, line 17, insert “of the Federal Aviation Administration and the Administrator of the Transportation Security Administration” before “shall require”. Page 731, strike line 18. Page 731, beginning on line 19, insert “of the Federal Aviation Administration and the Administrator of the Transportation Security Administration” after “Administrator”. Page 731, after line 23, insert the following: (b) NOTICE AND CURE.—Not later than 90 days after the date of enactment of this Act, air carriers described in subsection (a) of section 551 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44903 note) shall comply with the requirements of such subsection with respect to submission to the Administrator of the Transportation Security Administration. (c) REPORT TO CONGRESS.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with the Administrator of the Transportation Security Administration, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on all the Employee Assault Prevention and Response Plans submitted pursuant to section 551 of the FAA Reauthorization Act of 2018 (49 USC 44903 note), to date, listed by each air carrier described in subsection (a) of such section.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Burlison (Burlison 027_Revised) (ANS 24); At the end of title VIII, add the following: SEC. 834. STUDY ON FLIGHT SIMULATOR USE. (a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct a study that examines the benefits of the use of flight simulation training devices for a pilot to gain the aeronautical experience required to obtain— (1) a commercial pilot certificate pursuant to section 61.129 of title 14, Code of Federal Regulations; or (2) an airline transport pilot certificate pursuant to section 61.159 of such title. (b) CONTENTS.—In carrying out the study required under subsection (a), the Administrator shall examine the following: (1) The benefits of using flight simulation training devices to train pilots. (2) How flight simulation training devices have advanced since the implementation of the rule titled “Pilot Certification and Qualification Requirements for Air Carrier Operations” and published on July 15, 2013 (78 Fed. Reg. 42324). (3) The effectiveness of flight simulation training devices in training pilots, including an analysis of— (A) how such devices are utilized by the armed forces (as such term is defined in section 101 of title 10, United States Code) to train military pilots; and (B) how such devices may improve pilot competency due to the replication, at a minimum, of— (i) a multi-crew environment; (ii) operations in complex or congested airspace; or (iii) freedom of motion. (4) The cost of acquiring flight simulation training devices and the availability of such devices, including identifying any supply chain issues. (5) The potential cost savings of using flight simulation training devices as compared to traditional aircraft for training. (6) Any other regulatory updates that can help safely train pilots in gaining the required aeronautical experience requirements to obtain the certificates described in subsection (a). (c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a). (d) FLIGHT SIMULATION TRAINING DEVICE DEFINED.—In this section, the term “flight simulation training device” has the meaning given such term in part 1 of title 14, Code of Federal Regulations, and appendix F to such title.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Ms. Hoyle of Oregon (Hoyle OR 011) (ANS 25); At the end of title VIII, add the following: SEC. ____ . EXPRESS CARRIER EMPLOYEE PROTECTION. (a) IN GENERAL.—Section 201 of the Railway Labor Act (45 U.S.C. 181) is amended— (1) by striking “All” and inserting the following: “(a) IN GENERAL.—All”; (2) by inserting “and every express carrier” after “common carrier by air”; and (3) by adding at the end the following: “(b) SPECIAL RULES FOR EXPRESS CARRIERS.— “(1) IN GENERAL.—An employee of an express carrier shall be covered by this Act only if that employee is in a position that is eligible for certification under part 61, 63, or 65 of title 14, Code of Federal Regulations, and only if that employee performs duties for the express carrier that are eligible for such certification. All other employees of an express carrier shall be covered by the provisions of the National Labor Relations Act (29 U.S.C. 151 et seq.). “(2) AIR CARRIER STATUS.—Any person that is an express carrier shall be governed by paragraph (1) notwithstanding any finding that the person is also a common carrier by air. “(3) EXPRESS CARRIER DEFINED.—In this section, the term ‘express carrier’ means any person (or persons affiliated through common control or ownership) whose primary business is the express shipment of freight or packages through an integrated network of air and surface transportation.”. (b) CONFORMING AMENDMENT.—Section 1 of the Railway Labor Act (45 U.S.C. 151) is amended by striking “, any express company that would have been subject to subtitle IV of title 49, United States Code, as of December 31, 1995,”.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Collins (Collins 009) (ANS 26); Page 616, strike lines 11 through line 5 on page 617 and insert the following: (1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall, after consultation with aircraft manufacturers, institutions of higher learning, the Administrator of the National Aeronautics and Space Administration, the Secretary of Defense, and any other agencies the Administrator determines appropriate, conduct a study to assess actions necessary to facilitate the safe operation and integration of hypersonic aircraft into the national airspace system. (2) CONTENTS.—In carrying out the study under paragraph (1), the Administrator shall— (A) assess various altitudes and operating conditions of high speed aircraft in Class E airspace above the upper boundary of Class A airspace and the resulting aircraft noise levels at the surface; (B) include the development of a framework and timeline to establish the appropriate regulatory requirements to conducting highspeed aircraft flights; (C) identify the data required to develop certification, flight standards, and air traffic requirements for the deployment and integration of high-speed aircraft; (D) assess cross-agency equities related to high-speed aircraft technologies and flight; and (E) survey global high-speed aircraft-related regulatory and testing developments or activities. (3) RECOMMENDATIONS.—As part of the study under paragraph (1), the Administrator shall issue recommendations to update, if feasible, regulations for certification, flight standards and air traffic management. Page 617, after line 5, insert the following (and redesignate the subsequent subsection accordingly): (c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a), including the recommendations under subsection (b)(3), to facilitate the safe operation and integration of high-speed aircraft in the national airspace system. (d) STUDY AND RULEMAKING ON HIGH ALTITUDE CLASS E AIRSPACE FLIGHT OPERATIONS.— (1) CONSULTATION.—Not later than 12 months after the date of enactment of this section, the Administrator, in consultation with the Administrator of the National Aeronautics and Space Administration and relevant stakeholders, including industry and academia, shall identify the minimum altitude above the upper boundary of Class A airspace at or above which flights operating with speeds above Mach 1 generate sonic booms that are inaudible at the surface under prevailing atmospheric conditions. (2) RULEMAKING.—Not later than 2 years after the date on which the Administrator identifies the minimum altitude described in paragraph (1), the Administrator shall publish in the Federal Register a notice of proposed rulemaking to amend sections 91.817 and 91.818 of title 14, Code of Federal Regulations, and such other regulations as appropriate, to permit flight operations with speeds above Mach 1 at or above the minimum altitude identified under paragraph (1) without specific authorizations, provided that such flight operations— (A) show compliance with airworthiness requirements; (B) do not cause a measurable sonic boom over pressure to reach the surface; and (C) have ordinary instrument flight rules clearances necessary to operate in controlled airspace. Page 617, line 8,

strike “may” and insert “shall”.; was AGREED TO by a recorded vote of 36 yeas and 28 nays (Roll Call No. 019).

The vote was as follows:

Vote: 019			
On: Amendment to ANS H.R. 3935 offered by Mr. Collins 009			
Yea	36	Nay	28
Member	Vote	Member	Vote
Mr. Graves of MO	Nay	Mr. Larsen of WA	Nay
Mr. Crawford	Yea	<i>Ms. Norton</i>	Nay
Mr. Webster of FL	Yea	Mrs. Napolitano	Nay
Mr. Massie	Yea	Mr. Cohen	Nay
Mr. Perry	Yea	Mr. Garamendi	Nay
Mr. Babin	Yea	Mr. Johnson of GA	Nay
Mr. Graves of LA	Nay	Mr. Carson	Nay
Mr. Rouzer	Yea	Ms. Titus	Nay
Mr. Bost	Yea	Mr. Huffman	Nay
Mr. LaMalfa	Yea	Ms. Brownley	Nay
Mr. Westerman	Yea	Ms. Wilson of FL	Nay
Mr. Mast	Yea	Mr. Payne	Nay
<i>Mrs. González-Colón</i>	Yea	Mr. DeSaulnier	Nay
Mr. Stauber	Yea	Mr. Carbajal	Nay
Mr. Burchett	Yea	Mr. Stanton	Nay
Mr. Johnson of SD	Yea	Mr. Allred	Yea
Mr. Van Drew	Yea	Ms. Davids of KS	Nay
Mr. Nehls	Yea	Mr. García of IL	Nay
Mr. Gooden of TX	Yea	Mr. Pappas	Nay
Mr. Mann	Yea	Mr. Moulton	Yea
Mr. Owens	Yea	Mr. Auchincloss	Yea
Mr. Yakym	Yea	Ms. Strickland	Nay
Mrs. Chavez-DeRemer	Yea	Mr. Carter of LA	Nay
Mr. Edwards	Yea	Mr. Ryan	Nay
Mr. Kean of NJ	Yea	Mrs. Peltola	Nay
Mr. D’Esposito		Mr. Menendez	Nay
Mr. Burlison	Yea	Ms. Hoyle of OR	Nay
Mr. James	Yea	Mrs. Sykes	Yea
Mr. Van Orden	Yea	Ms. Scholten	Nay
Mr. Williams of NY	Yea	Mrs. Foushee	Nay
Mr. Molinaro	Yea		
Mr. Collins	Yea		

Mr. Ezell	Yea
Mr. Duarte	Yea
Mr. Bean of FL	Yea

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Kean of New Jersey (Kean NJ 010) (ANS 27); At the end of title VIII, add the following: SEC.____. AIR STATISTIC REPORTS. Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation shall ensure that the Bureau of Transportation Statistics revises and maintains Technical Reporting Directive No. 31 (14 C.F.R. Part 234) to provide that the following events are not included within the air carrier codes specified in such Directive: (1) Aircraft cleaning necessitated by such incidents as the death of a passenger, excessive bleeding, service animal (SVAN) soiling, and extensive debris left by customers. (2) Aircraft damage caused by extreme weather, bird strike, foreign object debris (FOD), sabotage, and other similar causes. (3) Awaiting the arrival of connecting passengers or crew due to weather or local or National Airspace System logistics. (4) Awaiting the results of an unexpected alcohol test of a crewmember caused by the suspicion or accusation of a customer. (5) Awaiting gate space due to congestion not within the carrier’s control, including the utilization of common gates or uncontrollable gate returns resulting from constraints of the National Airspace System. (6) A baggage or cargo loading delay caused by an outage of a bag system not controlled by a carrier, including wind affecting ramp conditions, late connecting bags resulting from an air traffic controller delay, airport infrastructure failure, and similar causes. (7) Cabin servicing or catering delays due to weather or wind. (8) Vendor computer outages, cybersecurity attacks (provided that the carrier is in compliance with applicable cybersecurity regulations), or issues related to the use of airport-supplied communications equipment (such as common-use gates and terminals, power outage, and lighting). (9) Availability of crew related to hours flown, rest periods, and on-duty times not caused by a carrier, including a delay of a crew replacement or reserve necessitated by a non-controllable event, and pilot or flight attendant rest related to weather, air traffic controller, or local logistics. (10) An unscheduled engineering or safety inspection. (11) Public health issues. (12) Fueling delays related to weather or airport fueling infrastructure issues, including the inoperability of a fuel farm or unusable fuel which does not meet specified requirements at delivery to an airport due to contamination in the supply chain. (13) Government systems that are inoperable or otherwise unable to receive forms which have been properly completed by an air carrier. (14) Overheated brakes resulting from a safety incident, including those resulting from emergency procedures. (15) Mail from the U.S. Postal Service that was delayed in arrival. (16) Unscheduled maintenance, including airworthiness issues manifesting outside a scheduled maintenance program and that cannot be deferred or must be addressed before flight. (17) A medical emergency. (18) Positive passenger bag match flags that require removal of a bag in order to ensure security. (19) The removal of an unruly passenger. (20) Ramp service from a third-party contractor, including servicing of potable water, lavatory servicing, and shortage of third-party ramp equipment. (21) Snow removal or aircraft de-icing due to the occurrence of extreme weather despite adequate carrier resources, or the removal of snow on ramps. (22) An airport closure due to such factors as the presence of volcanic ash, wind or wind shear.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Yakym (Yakym 015) (ANS 28); At the end of title VIII, add the following: SEC.____ ASSET CONCESSIONS PILOT PROGRAM. (a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by adding at the end the following: “§ 47145. Asset concessions pilot program “(a) ASSET CONCESSIONS PILOT PROGRAM.— “(1) DEFINITIONS.—In this section: “(A) APPROVED INFRASTRUCTURE ASSET.—The term ‘approved infrastructure asset’ means an airport or airports considered together in a single asset concession or long term lease to a private individual or entity by 1 or more eligible entities. “(B) ASSET CONCESSION.—The term ‘asset concession’ means a contract between an eligible entity and a private individual or entity under which— “(i) the eligible entity agrees to enter into a concession agreement or long-term lease with the individual or entity relating to an approved infrastructure asset owned, controlled, or maintained by the eligible entity; and “(ii) as consideration for that agreement or lease, the individual or entity agrees to provide to the eligible entity 1 or more asset concession payments. “(C) ASSET CONCESSION PAYMENT.—The term ‘asset concession payment’ means a payment from a private individual or entity to an eligible entity that is—

“(i) an upfront payment made at the financial close of an asset concession; or “(ii) 1 of a series of payments scheduled to be made during the term of an asset concession. “(D) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a unit of State or local government that owns, controls, or maintains an approved infrastructure asset. “(E) QUALIFYING INFRASTRUCTURE COST.—The term ‘qualifying infrastructure cost’ means the non-Federal share of the cost of— “(i) 1 or more projects for which a grant is provided under this section; “(ii) a project described in section 5026 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 6 3905); “(iii) a project relating to the development or construction of an infrastructure asset to provide communication, broadband, or internet services; “(iv) a road, bridge, or other surface transportation asset; “(v) a highway; “(vi) a public transit facility; “(vii) a port or port terminal; “(viii) a publicly owned railroad facility; “(ix) a wastewater conveyance and treatment facility; “(x) a drinking water treatment and distribution facility; “(xi) an intermodal facility; “(xii) an intercity passenger bus facility; “(xiii) an intercity passenger rail facility; or “(xiv) an airport. “(2) ESTABLISHMENT.— “(A) IN GENERAL.—The Secretary shall establish a pilot program under which the Secretary shall provide grants to eligible entities in accordance with paragraph (3). “(B) TREATMENT.—Notwithstanding any other provision of law, the Secretary may not prohibit or otherwise prevent an eligible entity from entering into, or receiving any asset concession payment under, an asset concession for an approved infrastructure asset owned, controlled, or maintained by the eligible entity. “(3) RESERVATION.—Of the amount subject to apportionment under section 47114, the Secretary shall reserve for each of the next 5 fiscal years, 10 percent of such amount to provide grants for projects described in this section to eligible entities that— “(A) have entered, or will enter, into an asset concession; and “(B) agree to use the full amount of the asset concession payment received by the eligible entity, less any amount paid for transaction costs relating to the asset concession, to pay qualifying infrastructure costs of the eligible entity. “(4) APPLICATIONS.—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary an application— “(A) at such time, in such manner, and containing such information as the Secretary may require; and “(B) that includes a certification that the applicable portion of any applicable asset con13 cession payment received by the eligible entity will be used in accordance with paragraph (3)(B). “(5) GRANT AMOUNT.—A grant provided under this section shall not exceed an amount equal to the lesser of— “(A) as applicable— “(i) 15 percent of the amount of the asset concession payment that is used to pay qualifying infrastructure costs under paragraph (3)(B); or “(ii) in any case in which the eligible entity agrees under paragraph (3)(B) to pay the non-Federal share of the cost of 1 or more projects located in a rural area (as defined in section 117(i)(3) of title 23, United States Code), 20 percent of the amount of the asset concession payment that is used to pay qualifying infrastructure costs under paragraph (3)(B); and “(B) \$300,000,000. “(6) EXCESS FUNDING.— “(A) GRANTS TO OFFSET ASSET CONCESSIONS.—Subject to subparagraph (B), amounts reserved under paragraph (3) for a fiscal year shall remain available for expenditure in accord14 nce with that paragraph through September 30 of the 5th fiscal year that begins after the date of enactment of this section. “(B) APPORTIONMENTS.—The Secretary shall use any amounts reserved under paragraph (3) for a fiscal year that remain unexpended as of October 1 of the 6th fiscal year that begins after the date of enactment of this section to provide other grants under section 47114. Amounts used for grants in accordance with this subparagraph shall remain available for expenditure through September 30 of the 7th fiscal year that begins after the date of enactment of this section.”. (b) CLERICAL AMENDMENT.—The analysis of subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after the item relating to section 47144 the following: “47145. Asset concessions pilot program.”.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Bean of Florida (Bean FL 011) (ANS 29); At the end of title VIII of the bill, add the following:
SEC. 834. SAFETY ENHANCEMENTS FOR CERTIFICATION OF TRANSPORT CATEGORY CARGO AIRPLANES. (a) **IN GENERAL.**—The Secretary shall enhance the safety of cargo transport category airplane type certification by allowing, at the request of the applicant for certification, the testing of cargo airplanes with representative or actual cargo in cargo operation flights, and flown by representative aircrews of typical skill, which may be made for compensation, during function and reliability testing and prior to type design approval. (b) **ESTABLISHMENT OF LIMITATIONS.**—The Secretary may establish airplane appropriate operating limitations, during testing, for limited operations described in subsection (a).; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Gooden of TX (Gooden TX 033) (ANS 30); At the end of title VIII, add the following: SECTION 8____. PROHIBITION ON OPERATION OF AIRCRAFT OVER RUSSIAN AIRSPACE. (a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation shall take such actions as are necessary to ensure that no air carrier or foreign air carrier engaging in foreign air commerce taking off from or flying into an airport in the United States may operate an aircraft in the airspace over the territory of the Russian Federation. (b) DEFINITIONS.—The terms used in this section have the meanings given such terms in section 40102(a) of title 49, United States Code.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Garamendi (Garamendi 061) (ANS 31); At the end of title VIII, add the following: SEC. _____. RULE OF CONSTRUCTION. A commercial service airport (as defined in section 47102 of title 49, United States Code) subject to emissions mitigation requirements under the laws of a State shall be eligible for the zero- emission vehicle and infrastructure program under section 47136 of title 49, United States Code, and the voluntary airport low emissions grant program described under sections 40117(a)(3)(G), 47102(3)(K), and 47102(3)(L) of title 49, United States Code, in order to complete electrification projects consistent with the goals of the programs described in this section.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 202) (ANS 32); At the end of title VIII, add the following: SEC. _____. PROHIBITIONS ON CONSTRUCTION CONTRACTS. (a) PROHIBITION.—(1) GENERAL RULE.—The Secretary of Transportation, and any construction manager acting on behalf of the Secretary with respect to any construction contract awarded pursuant to this Act, or the amendments made by this Act, or obligation of funds pursuant to such a contract, shall not, in the contracts bid specifications, project agreements, or other controlling documents— (A) require or prohibit a bidder, offeror, contractor, or subcontractor from entering into, or adhering to, agreements with 1 or more labor organizations, with respect to that construction project or another related construction project; or (B) otherwise discriminate against or give preference to a bidder, offeror, contractor, or subcontractor because such bidder, contractor or subcontractor— (i) becomes a signatory, or otherwise adheres to, an agreement with 1 or more labor organizations with respect to that construction project or another related construction project; or (ii) refuses to become a signatory, or otherwise adhere to, an agreement with 1 or more labor organizations with respect to that construction project or another related construction project. (2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to prohibit a contractor or subcontractor from voluntarily entering into an agreement described in such paragraph. (b) RECIPIENTS OF GRANTS AND OTHER ASSISTANCE.—The Secretary shall not award grants, provide financial assistance, or enter into cooperative agreements for construction projects pursuant to this Act, until the Secretary ensures that— (1) the bid specifications, project agreements, or other controlling documents for such construction projects of a recipient of a grant or financial assistance, or by the parties to a cooperative agreement, do not contain any of the requirements or prohibitions described in subparagraph (A) or (B) of subsection (a)(1); or (2) the bid specifications, project agreements, or controlling documents for such construction projects of a construction manager acting on behalf of a recipient or party described in paragraph (1), do not contain any of the requirements or prohibitions described in subparagraph (A) or (B) of subsection (a)(1).; was **NOT AGREED TO** by a recorded vote of 22 yeas and 42 nays (Roll Call 020).

The vote was as follows:

Vote: 020			
On: Amendment to the ANS to H.R. 3935 offered by Mr. Perry 202			
Yea	22	Nay	42
Member	Vote	Member	Vote

Mr. Graves of MO	Nay	Mr. Larsen of WA	Nay
Mr. Crawford	Yea	<i>Ms. Norton</i>	Nay
Mr. Webster of FL	Yea	Mrs. Napolitano	Nay
Mr. Massie	Yea	Mr. Cohen	Nay
Mr. Perry	Yea	Mr. Garamendi	Nay
Mr. Babin	Yea	Mr. Johnson of GA	Nay
Mr. Graves of LA	Nay	Mr. Carson	Nay
Mr. Rouzer	Yea	Ms. Titus	Nay
Mr. Bost	Nay	Mr. Huffman	Nay
Mr. LaMalfa	Yea	Ms. Brownley	Nay
Mr. Westerman	Yea	Ms. Wilson of FL	Nay
Mr. Mast	Yea	Mr. Payne	Nay
<i>Mrs. González-Colón</i>	Nay	Mr. DeSaulnier	Nay
Mr. Stauber	Nay	Mr. Carbajal	Nay
Mr. Burchett	Yea	Mr. Stanton	Nay
Mr. Johnson of SD	Yea	Mr. Allred	Nay
Mr. Van Drew	Nay	Ms. Davids of KS	Nay
Mr. Nehls	Yea	Mr. García of IL	Nay
Mr. Gooden of TX	Yea	Mr. Pappas	Nay
Mr. Mann	Yea	Mr. Moulton	Nay
Mr. Owens	Yea	Mr. Auchincloss	Nay
Mr. Yakym	Yea	Ms. Strickland	Nay
Mrs. Chavez-DeRemer	Nay	Mr. Carter of LA	Nay
Mr. Edwards	Yea	Mr. Ryan	Nay
Mr. Kean of NJ	Nay	Mrs. Peltola	Nay
Mr. D’Esposito		Mr. Menendez	Nay
Mr. Burlison	Yea	Ms. Hoyle of OR	Nay
Mr. James	Nay	Mrs. Sykes	Nay
Mr. Van Orden	Nay	Ms. Scholten	Nay
Mr. Williams of NY	Nay	Mrs. Foushee	Nay
Mr. Molinaro	Nay		
Mr. Collins	Yea		
Mr. Ezell	Yea		
Mr. Duarte	Yea		
Mr. Bean of FL	Yea		

En Bloc amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Ms. Brownley (Brownley 048) (ANS 33 En Bloc); Page 264, line 16, insert “, including sustainable aviation fuel” after “fuel”.; (Brownley 049) (ANS 33 En Bloc); At the end of title VIII of the bill, add the following: SEC. 834. GRANT PROGRAM. (a) IN GENERAL.—The Secretary of Transportation, in consultation with

the Administrator of the Environmental Protection Agency, shall carry out a competitive grant and cost-sharing agreement program for eligible entities to carry out projects located in the United States to produce, transport, blend, or store sustainable aviation fuel. (b) SELECTION.—In selecting an eligible entity to receive a grant or cost-share agreement under subsection (a), the Secretary shall consider— (1) the anticipated public benefits of a project proposed by the eligible entity; (2) the potential to increase the domestic production and deployment of sustainable aviation fuel; (3) the potential greenhouse gas emissions from such project; (4) the potential for creating new jobs in the United States; (5) the potential net greenhouse gas emissions impact of different feedstocks to produce sustainable aviation fuel on a lifecycle basis, which shall include potential direct and indirect greenhouse gas emissions (including resulting from changes in land use); and (6) the proposed utilization of non-Federal contributions by the eligible entity. (c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$200,000,000 for each of fiscal years 2024 through 2028 to carry out this section. (d) REPORT.—Not later than October 1, 2029, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report describing the results of the grant program under this section. The report shall include the following: (1) A description of the entities and projects that received grants or other cost-sharing agreements under this section. (2) A detailed explanation for why each entity received the type of funding disbursement such entity did. (3) A description of whether the program is leading to an increase in the production and deployment of sustainable aviation fuels and whether that increase is enough to keep the United States on track to achieve the goals described in section 2 of this Act. (4) A description of the economic impacts resulting from the funding to and operation of the project. (e) ELIGIBLE ENTITY DEFINED.—In this section, the term “eligible entity” means— (1) a State or local government other than an airport sponsor; (2) an air carrier; (3) an airport sponsor; and (4) a person or entity engaged in the production, transportation, blending or storage of sustainable aviation fuel in the United States or feedstocks in the United States that could be used to produce sustainable aviation fuel.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Rouzer (Rouzer 034) (ANS 34); Page 742, after line 13, insert the following: SEC. 834. PROHIBITION ON PROCUREMENT OF FOREIGN MADE UNMANNED AIRCRAFT SYSTEMS. (a) IN GENERAL.—The Secretary of Transportation is prohibited from entering into a contract or awarding a grant for the procurement of a small unmanned aircraft system manufactured or assembled by a covered foreign entity. (b) EXEMPTION.—The Secretary is exempt from any restrictions under subsection (a) if the procurement is for the purposes of— (1) counter-UAS testing, analysis, or training; or (2) aviation safety testing. (c) WAIVER.—The Secretary of Transportation (or the Secretary’s designee) may waive any restrictions under subsection (a) on a case by case basis by certifying in writing not later than 15 days after exercising such waiver to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that the procurement is required in the national interest of the United States. (d) EFFECTIVE DATES.— (1) IN GENERAL.—Beginning on the date of enactment of this Act, the Secretary may not award a new grant for the procurement of an unmanned aircraft system manufactured by a covered foreign entity. (2) EXISTING GRANT.—This section shall not apply to grants awarded before the date of enactment of this Act. (e) DEFINITIONS.—In this section: (1) COVERED FOREIGN ENTITY.—The term “covered foreign entity” means an entity— (A) included on the Consolidated Screening List or Entity List as designated by the Secretary of Commerce; (B) domiciled in the People’s Republic of China or the Russian Federation; (C) subject to influence or control by the government of the People’s Republic of China or by the Russian Federation; or (D) that is a subsidiary or affiliate of an entity described in subparagraphs (A) through (C). (2) SMALL UNMANNED AIRCRAFT; UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms “small unmanned aircraft”, “unmanned aircraft”, and “unmanned aircraft system” have the meanings given such terms in section 44801 of title 49, United States Code.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Van Drew (Van Drew 039) (ANS 35); Strike page 295, line 2, and insert “40102 of title 49, United States Code, and section 47102 of title 49, United States Code.”; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. García of Illinois (García IL 040) (ANS 36); At the end of title VIII, add the following: SEC.____. REPORT ON PASSENGER FACILITY CHARGES. The Administrator of the Federal Aviation Administration shall annually submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report assessing the passenger facility charges provided for under section 40117 of title 49, United States Code, including recommendations for improvement to such section.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Babin (Babin 024) (ANS 37); Page 583, after line 21, insert the following: SEC. 635. ADVISORY CIRCULAR. Not later than 6 months after the date of enactment of this section, the Secretary of Transportation shall issue the advisory circular AS-20CAS that provides formal requirements and guidance based on SC-228 products to class 5 UAS (as such term is defined in section 40102 of Title 49, United States Code) on publishing information and requirements related to certification under title 10, Code of Federal Regulations, of class 5 UAS Detect and Avoid capabilities for national airspace integration without requiring chase aircraft.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Mast (Mast 049) (ANS 38); At the end of title VIII, add the following: SEC. 834. ADMINISTRATIVE APPEAL PROCESS. (a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish an administrative appeal process whereby an affected airport sponsor may appeal an agency decision on the appropriate level of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required for a proposed Federal action. (b) APPEAL TIMELINE.—The appeal process established under subsection (a) shall allow an appeal within 60 days of an agency decision described in such subsection and shall require a final agency decision by an Federal Aviation Administration headquarters official within 60 days of such an appeal.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Stanton (Stanton 024) (ANS 39); At the end of subtitle A of title VII, insert the following: SEC.____. ON-BOARD WHEELCHAIRS. (a) REQUIREMENTS.— (1) IN GENERAL.—In the case an aircraft that is required to be equipped with an on-board wheelchair in accordance with section 382.65 of title 14, Code of Federal Regulations, an air carrier and a foreign air carrier shall provide in a prominent place on a publicly available internet website of the carrier, and in any place where a passenger can make a reservation, information regarding the rights and responsibilities of both passengers on such aircraft and the air carrier or foreign air carrier, including— (A) that an air carrier or foreign air carrier is required to equip aircraft that have more than 60 passenger seats and that have an accessible lavatory (whether or not having such a lavatory is required by section 382.63 of such title 14) with an on-board wheelchair unless an exception described in such section 382.65 applies; (B) that a qualified individual with a disability may request an on-board wheelchair on aircraft with more than 60 passenger seats even if the lavatory is not accessible and that the basis of such request must be that the individual can use an inaccessible lavatory but cannot reach it from a seat without using an on-board wheelchair; (C) that the air carrier or foreign air carrier may require the qualified individual with a disability to provide the advance notice specified in section 382.27 of such title 14 in order for the individual to be provided with the on-board wheelchair; and (D) if the air carrier or foreign air carrier requires the advance notice described in subparagraph (C), information on how a qualified individual with a disability can make such a request. (2) ANNUAL TRAINING.—An air carrier and a foreign air carriers shall require that all personnel who regularly interact with the traveling public, including contractors, complete annual training regarding assisting qualified individual with a disability, including regarding the availability of accessible lavatories

and on-board wheelchairs and such individual's right to request an on-board wheelchair. (3) PUBLIC AWARENESS CAMPAIGN.—The Secretary shall conduct a public awareness campaign on the rights of qualified individuals with a disability, including with respect to accessible lavatories and such individual's right to request an on-board wheelchair in accordance section 382.65 of title 14, Code of Federal Regulations. (4) QUALIFIED INDIVIDUAL WITH A DISABILITY DEFINED.—In this subsection, the term “qualified individual with a disability” has the meaning given such term in section 382.3 of title 14, Code of Federal Regulations. (5) PENALTIES.—The Secretary may assess a civil penalty in accordance with section 46301 of title 49, United States Code, to any air carrier or foreign air carrier who fails to meet the requirements under paragraph (1) or (2). (b) INCREASED CIVIL PENALTIES.— (1) IN GENERAL.—Section 46301(a)(7) of title 49, United States Code, is amended— (A) in the paragraph heading, by striking “TO HARM” ; and (B) in subparagraph (A)— (i) in the heading, by striking “BODILY HARM OR DAMAGE TO WHEELCHAIR OR OTHER MOBILITY AID” and inserting “DAMAGE TO WHEELCHAIR OR OTHER MOBILITY AID, BODILY HARM, OR FAILURE TO EQUIP AIRCRAFT WITH A WHEELCHAIR”; and (ii) by striking “or injury to a passenger with a disability” and inserting “, injury to a passenger with a disability, or a failure to equip an aircraft with an onboard wheelchair pursuant to section 382.65 of title 14, Code of Federal Regulations (or a successor regulation)”. (2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to flights occurring on or after the effective date of the revision described in subsection (a).; WAS WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Mann (Mann 024) (ANS 40); At the end of subtitle B of title III, add the following: SEC. ____ APPRENTICESHIP PROGRAM FOR PILOTS. (a) DEFINITIONS.—In this section: (1) APPRENTICE.—The term “apprentice” means a student enrolled at a flight school. (2) FLIGHT SCHOOL.—The term “flight school” means a flight academy certified under part 141 of title 14, Code of Federal Regulations. (3) SECRETARY.—The term “Secretary” means the Secretary of Transportation. (b) ESTABLISHMENT.—The Secretary, in consultation with flight schools and other industry stakeholders, shall establish an apprenticeship program with flight schools to establish a pipeline of qualified and interested individuals to become commercial pilots. (c) SELECTION.—Under the apprenticeship program established under subsection (b), each flight school participating in the apprenticeship program established under subsection (b) may select up to 8 applicants to flight school to serve as apprentices each academic year. (d) CURRICULUM AND REQUIREMENTS.— (1) IN GENERAL.—To graduate from an apprenticeship program established under subsection (b), an apprentice shall satisfy any relevant requirements and minimum curriculum under part 141 of title 14, Code of Federal Regulations (or successor regulations), including all curriculum under subpart C of such part. (2) MINIMUM REQUIREMENTS.—Nothing in this Act prevents a flight school from imposing additional requirements, such as modifying the terms of service of the apprenticeship program, on an apprentice taking part in an apprenticeship program established pursuant to this section. (e) OPTIONAL PROGRAM.—A flight school may choose not to participate in an apprenticeship program established under this section. (f) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to implement this Act. (g) INCENTIVIZING RETIRED PILOTS.—The Secretary shall take such actions as may be appropriate to develop methods to incentivize pilots, including retired military pilots, retiring airline pilots, and graduates of the apprenticeship program established under this section, to become instructors at flight schools, including through the development of pathway programs for such pilots to gain initial qualification or concurrent qualification as certified flight instructors under part 61 of title 14, Code of Federal Regulations.; WAS WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Nehls (Nehls 089) (ANS 41); Page 571, after line 25, add the following: (8) ensure that the public phone line for the UAS Integration Office and the office of congressional affairs of the Administration is manned by a nonteleworking individual and operational from the hours of 9 a.m. to 6 p.m.; WAS WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Menendez (Menendez 008) (ANS 42); At the end of title VIII, add the following: SEC.____. PARK PROTECTION. Section 40128(b)(7) of title 49, United States Code, is amended— (1) in subparagraph (B) by striking “or the air traffic control system” and inserting “, the air traffic control system, or the well-being of communities overflowed by aircraft involved in such commercial air tour operations”; and (2) in subparagraph (C) by inserting “any community whose lands are, or may be, and” before “any Indian tribe”.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Yakym (Yakym 016) (ANS 43); Page 522, strike lines 9 through 25 and insert the following: “(6) In Class G airspace, aircraft fling within the safety programming of a recognized community based organization can fly from the surface up to controlled airspace. Operators shall maintain visual line of sight of the aircraft and comply with all airspace restrictions and prohibitions. Flights into controlled airspace require specific authorization from the Administrator.”. (2) in subsection (c) by adding at the end the following: Page 524, strike lines 3 through 8 and insert the following: “(i) from the surface up to controlled airspace without prior authorization from the Administrator; and “(ii) into controlled airspace with prior authorization from the Administrator. Page 524, beginning on line 23, strike “prioritize the review” and all that follows through “section” and insert “designate recognized community-based organizations to self-declare FRIAs to sponsored sites that meet criteria developed by the Administrator in coordination with community-based organizations”. Page 526, after line 2, insert the following: (C) by inserting after paragraph (7) the following: “(8) is a designated Federal Aviation Administration Trust Administrator.”.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Ms. Hoyle of Oregon (Hoyle OR 012) (ANS 44); Page 469, after line 15, insert the following: (d) TRAINING MATERIALS.— (1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator shall develop and publish training and related educational materials about aircraft engine ingestion and jet blast hazards for ground crews (including supervisory employees) that includes information on— (A) the specific dangers and consequences of entering engine ingestion or jet blast zones; (B) proper protocols to avoid entering an engine ingestion or jet blast zone; and (C) on-the-job, instructor-led training to physically demonstrate the engine ingestion zone boundaries and jet blast zones for each kind of aircraft the ground crew may encounter. (2) TRAINING REGULATIONS.—Not later than 180 days after the publication of the training and related educational materials described in paragraph (1), the Administrator shall promulgate regulations to require any new, transferred, or current (as of the date of enactment of this section) employee of the Federal Aviation Administration to receive the relevant engine ingestion and jet blast zone hazard training before such employee may perform work on the apron.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Gooden of Texas (Gooden TX 034) (ANS 45); At the end of title VIII, add the following: SEC.____. PILOT PROGRAM FOR FLIGHT TRAINING. (a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish a pilot program (in this Act referred to as the “Program”) to award grants to covered flight schools to provide flight training to eligible veterans. (b) ELIGIBLE USE.—A grant under section may be used to provide the training necessary for a veteran to earn the following certificates and ratings issued under part 141 of title 14, Code of Federal Regulations: (1) A private pilot certificate. (2) A commercial pilot certificate. (3) A certified flight instructor certificate. (4) A certified flight instructor instrument certificate. (5) An instrument rating. (6) A multiengine rating. (c) ELIGIBLE VETERANS.— (1) IN GENERAL.—To be eligible to receive flight training from a covered flight school under the Program, a veteran shall— (A) intend to pursue a career as a commercial pilot; (B) have a high school diploma or its equivalent; (C) be able to read, write, and speak English fluently; (D) hold a valid United States passport, or be qualified to obtain such a passport; (E) obtain a second class medical certificate; and (F) meet any other requirements for eligibility as determined appropriate by the Secretary. (2) INELIGIBLE VETERANS.—A veteran shall not be eligible to receive flight training from a covered flight school under the Program if such

veteran— (A) has been convicted of a Federal felony offense; or (B) possesses a commercial pilot certificate on or before the date on which such veteran begins receiving flight training under the Program. (d) APPLICATIONS TO RECEIVE FLIGHT TRAINING.— A covered flight school receiving a grant under the Pro5 gram shall be responsible for— (1) soliciting applications for flight training from eligible veterans; (2) reviewing such applications; and (3) selecting veterans to receive flight training and enrolling such veterans in such flight school. (e) TERMINATION.—The Program shall terminate 18 months after the date on which the Program is established under subsection (a). (f) REPORT.—Not later than 180 days after the Program terminates under subsection (e), the Secretary of Transportation, in consultation with the Secretary of Veterans Affairs, shall submit to the Committees on Education and Labor, Transportation and Infrastructure, and Veterans' Affairs of the House of Representatives, a report that includes a description of the following: (1) How the improvement of the consistency and eligibility for assistance under chapter 33 of title 38, United States Code, may be used to provide flight training to veterans. (2) The costs associated with obtaining a commercial pilot certificate and ways in which such costs could be reduced for veterans seeking a commercial pilot certificate. (3) Ways to increase cooperation between the Department of Transportation, veterans service organizations, and air carriers to recruit, screen, and train veterans as commercial pilots. (4) Ways to improve the availability of Federal student loans to veterans to use for attending vocational flight school. (5) A model program under which States and domestic commercial airlines provide assistance to veterans to obtain the flight training necessary to obtain a commercial pilot certificate with a multiengine rating. (g) DEFINITIONS.—In this section: (1) COVERED FLIGHT SCHOOL.—The term “covered flight school” means a flight school that— (A) holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations; and (B) is approved to train pilots for a private pilot certificate, instrument rating, a commercial pilot certificate, and a flight instructor certificate. (2) VETERAN.—The term “veteran” means a person who served in the active military, naval, air, or space service, and who was discharged or released from such service with an honorable discharge; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Ms.

Titus (Titus 053) (ANS 46); Page 447, strike line 6 and all that follows through page 449, line 24 and insert the following: (a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following: “§ 44745. Cockpit recording device “(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall complete a rulemaking proceeding to— “(1) require that, not later than 4 years after the date of enactment of this Act, all applicable aircraft are fitted with a cockpit voice recorder and a flight data recorder that are each capable of recording the most recent 25 hours of data; “(2) prohibit any person from deliberately erasing or tampering with any recording on such a cockpit voice recorder or flight data recorder following a National Transportation Safety Board reportable event under part 830 of title 49, Code of Federal Regulations, and provide for civil and criminal penalties for such deliberate erasing or tampering, which may be assessed in accordance with section of this title and section 32 of title 18; “(3) require that such a cockpit voice recorder has the capability for an operator to use an erasure feature, such as an installed bulk erase function, consistent with applicable law and regulations; “(4) require that, in the case of such a cockpit voice recorder or flight data recorder that uses a solid state recording medium in which activation of a bulk erase function assigns a random discrete code to the deleted recording, only the manufacturer of the recorder and National Transportation Safety Board have access to the software necessary to determine the code in order to extract the deleted recorded data; and “(5) ensure that data on such a cockpit voice recorder or a flight data recorder, through technical means other than encryption (such as overwriting or the substitution of a blank recording medium before the recorder is returned to the owner) is not disclosed for use other than for accident or incident investigation purposes. “(b) PROHIBITED USE.—A cockpit voice recorder recording shall not be used by the Administrator or any employer for any certificate action, civil penalty, or disciplinary proceedings against flight crewmembers. “(c) APPLICABLE AIRCRAFT DEFINED.—In this section, the term ‘applicable aircraft’ means an aircraft that is— “(1) operated under part 121 of title 14, Code of Federal Regulations; and “(2) required by regulation to have a cockpit voice recorder or a flight data recorder.”. (b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by inserting after the item relating to section 44744 the following: “44745. Cockpit recording device.”.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Bean of Florida (Bean FL 013) (ANS 47); Page 125, after line 25, insert the following: (7) Ensuring to the maximum extent practicable that applicants can schedule airman practical tests in no more than 14 calendar days after such tests are requested.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Garamendi (Garamendi 055) (ANS 48); At the end of title VIII of the bill, add the following: SEC. 834. CIVIL AVIATION FACILITY PROGRAMS. (a) IN GENERAL.—Section 50101 of title 49, United States Code, is amended— (1) in subsection (a) by striking “steel and manufactured goods” and inserting “steel, iron, manufactured products, and construction materials”; and (2) in subsection (b)(2) by striking “steel and goods” and inserting “steel, iron, manufactured products, and construction materials”.; was WITHDRAWN.

En Bloc amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Rouzer (Rouzer 036) (ANS 49 En Bloc); Page 501, line 8, strike “information” and insert “informational and operational environments”. Page 501, line 11, strike “including” and insert “including, but not limited to, associated networks,”. Page 501, line 12, insert “, including the onboard aircraft avionics” after “computer systems”.;

(Rouzer 037) (ANS 49 En Bloc); At the end of title VIII, add the following: SECTION II. SECURING AIRCRAFT AVIONIC SYSTEMS. Section 506(a) of the FAA Reauthorization Act of 2018 (49 U.S.C. 44704 note) is amended— (1) in the matter preceding paragraph (1)— (A) by striking “consider” and inserting “revise”; and (B) by striking “revising” and inserting “existing”; (2) in paragraph (1) by striking “and” at the end; (3) in paragraph (2) by striking the period at the end and inserting “; and”; and (4) by adding at the end the following: “(3) to require that aircraft avionics serial networks used for flight guidance or aircraft control be monitored to verify they have not been compromised by unauthorized external and internal access.”. SEC. ____ . COMPTROLLER REVIEW AND REPORT OF CYBERSECURITY OF COMMERCIAL AVIATION AVIONICS. (a) IN GENERAL.—The Comptroller General of the United States shall conduct a review on the consideration, identification, and inclusion of aircraft cybersecurity into the strategic framework for aviation security and further as part of the Federal Aviation Administration’s cybersecurity strategy. (b) CONTENTS OF REVIEW.—The review under subsection (a) shall assess— (1) how onboard aircraft cybersecurity risks and vulnerabilities are defined and accounted for in the strategy aviation security framework, particularly in pillar 2 “protect and defend FAA networks and systems to mitigate risks to FAA missions and service delivery”; (2) how onboard aircraft cybersecurity, particularly of the aircraft avionics, is considered, incorporated, and prioritized in the cybersecurity strategy pursuant to section 509 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44903 note); (3) how roles and responsibilities for aircraft and ground systems cybersecurity are differentiated and enforced between the Transportation Security Agency and Federal Aviation Administration; (4) how aircraft and ground systems cybersecurity vulnerabilities are being identified and prioritized for mitigation, particularly considering the commercial technology ecosystem; and (5) the budgets of the responsible parties, as identified in subsection (b)(1), to satisfy those mitigation requirements necessary to secure the aviation ecosystem from onboard cybersecurity vulnerabilities.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. García of Illinois (García IL 045) (ANS 50); At the end of title VIII, add the following: SEC. ____ . IMPROVED ALL-CARGO FLIGHT DECK INTEGRITY MEASURES. (a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following: “§ 44741. All-cargo flight deck integrity measures “(a) IN GENERAL.—It shall be unlawful for an air carrier to operate a covered aircraft after January 1, 2027 in a covered operation unless such aircraft is equipped with a cockpit door that— “(1) meets the requirements of section 25.795(a) of title 14, Code of Federal Regulations, with respect to intrusion resistance; and “(2) remains locked while the aircraft is in flight, as directed by the pilot in command of such aircraft. “(b) EFFECT OF RULEMAKING.—The requirement of subsection (a) shall take effect on January 1, 2027, regardless of whether the Administrator of the Federal Aviation Administration has issued regulations to implement

such requirement. “(c) DEFINITIONS.—In this section: “(1) COVERED AIRCRAFT.—The term ‘covered aircraft’ means an aircraft with a cockpit door under subsection (a)(1) on each new aircraft manufactured after January 1, 2027 for delivery used in all-cargo air transportation with a maximum certificated payload capacity that exceeds 6,500 pounds. “(2) COVERED OPERATION.—The term ‘covered operation’ means an operation in all-cargo air transportation under the provisions of part 121 of title 14, Code of Federal Regulations.”. (b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following: “44741. All-cargo flight deck integrity measures.”; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Yakym (Yakym 019) (ANS 51); Page 528, beginning on line 19, strike “establishing airworthiness and operational regulations” and insert “establishing performance-based airworthiness and riskbased operational regulations”. Page 529, line 2, insert “, as described in Recommendations AS 2.1 and 2.9 final report of the UAS Beyond Visual Line of Sight Aviation Rulemaking Committee, which require a manufacturer’s declaration of compliance to a Federal Aviation Administration accepted means of compliance and which shall not require type or production certification or the issuance of a special airworthiness certificate”. Page 529, line 6, insert “as described in Recommendation OQ 2.2 of the UAS Beyond Visual Line of Sight Aviation Rulemaking Committee”; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. García of Illinois (García 046) (ANS 52); At the end of title VIII, add the following: SEC. ____.

ESTABLISHMENT OF OFFICE OF AVIATION CONSUMER PROTECTION. Section 102 of title 49, United States Code, is amended— (1) in subsection (e)(1)— (A) in the matter preceding subparagraph (A), by striking “7” and inserting “8”; and (B) in subparagraph (A), by striking “and an Assistant Secretary for Transportation Policy” and inserting “an Assistant Secretary for Transportation Policy, and an Assistant Secretary for Aviation Consumer Protection”; and (2) by adding at the end the following: “(j) OFFICE OF AVIATION CONSUMER PROTECTION.— “(1) ESTABLISHMENT.—There is established in the Department an Office of Aviation Consumer Protection (referred to in this subsection as the ‘Office’) to administer and enforce the aviation consumer protection and civil rights authorities provided to the Department by statute, including those under section 41712— “(A) to assist, educate, and protect passengers; “(B) to monitor compliance with, conduct investigations relating to, and enforce, including by taking appropriate action to address violations of, aviation consumer protection, civil rights, and aviation economic requirements; and “(C) to promulgate, as appropriate, aviation consumer protection and civil rights regulations. “(2) LEADERSHIP.—The Office shall be headed by the Assistant Secretary for Aviation Consumer Protection (referred to in this subsection as the ‘Assistant Secretary’). “(3) TRANSITION.—Not later than 180 days after the date of enactment of this subsection, the Office of Aviation Consumer Protection that is a unit within the Office of the General Counsel of the Department which is headed by the Assistant General Counsel for Aviation Consumer Protection, shall cease to exist. The Department shall determine which employees are necessary to fulfill the responsibilities of the new Office of Aviation Consumer Protection and those employees shall be transferred from the Office of the General Counsel as appropriate to the newly established Office of Aviation Consumer Protection. To the extent the Office of the General Counsel retains any attorney or hires any new attorney to advise the newly established Office of Aviation Consumer Protection, those attorneys will be located in the remaining offices within the Office of the General Counsel. “(4) COORDINATION.—The Assistant Secretary shall coordinate with the General Counsel appointed under subsection (e)(1)(E), in accordance with section 1.26 of title 49, Code of Federal Regulations (or a successor regulation), on all legal matters relating to— “(A) aviation consumer protection; and “(B) the duties and activities of the Office described in subparagraphs (A) through (C) of paragraph (1). “(5) ANNUAL REPORT.—The Assistant Secretary shall submit to the Secretary, who shall submit to Congress and make publicly available on the website of the Department, an annual report that, with respect to matters under the jurisdiction of the Department, or otherwise within the statutory authority of the Department— “(A) analyzes trends in aviation consumer protection, civil rights, and licensing; “(B) identifies major challenges facing passengers; and “(C) addresses any other relevant issues, as the Assistant Secretary determines to be appropriate. “(6) FUNDING.—There is authorized to be appropriated \$12,000,000 for fiscal year 2024, \$13,000,000 for

fiscal year 2025, \$14,000,000 for fiscal year 2026, \$15,000,000 for fiscal year 2027, and \$16,000,000 for fiscal year 2028.”; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Nehls (Nehls 073) (ANS 53); At the end of subtitle A of title VI, add the following: SEC. 611. SMALL UNMANNED AIRCRAFT PILOT RESEARCH FOR PUBLIC SAFETY. (a) IN GENERAL.— Chapter 448 of title 49, United States Code, is amended by adding at the end the following: “§ 44811. Small unmanned aircraft pilot research for public safety “(a) PROHIBITION REGARDING WEAPONS.—The prohibition regarding unmanned aircraft armed with dangerous weapons under section 363 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44802 note) is reaffirmed. “(b) PILOT RESEARCH PROGRAM.— “(1) IN GENERAL.—Not later than 12 months after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall initiate a pilot research program to study the potential use of non-lethal de-escalation unmanned aircraft by law enforcement agencies. “(2) CONTENTS.—The study required under subsection (b) shall address— “(A) the process of assessing and validating non-lethal de-escalation equipment that may be attached to unmanned aircraft; “(B) training protocols for law enforcement and agents of the Administration; and “(C) operational and safety protocols for operators of non-lethal de-escalation unmanned aircraft and agencies directly overseeing the operation of such unmanned aircraft. “(3) PARTNERSHIPS.—The Administrator shall enter into interagency agreements with the Departments of Justice, Department of Homeland Security, or State agencies with regard to the pilot research program established under this subsection. The Administrator may consider unmanned aircraft test ranges designated under section 44803, or Federal or State law enforcement training facilities as locations for such program. “(4) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation a report on the results of the pilot research program that includes a description of a potential process through which an applicant to such program may seek permission from the Administrator to operate non-lethal de-escalation unmanned aircraft. “(c) RULEMAKING.—Not later than 6 months after receiving the report set required under subsection (b)(4), the Administrator shall initiate a rulemaking to create a process through which the Administrator may provide approval to operate non-lethal de-escalation unmanned aircraft. “(d) MANUFACTURING REQUIREMENT.—Any non-lethal de-escalation unmanned aircraft used under the pilot research program shall be manufactured in the United States, as defined by the Federal Trade Commission under part 323 of title 16, Code of Federal Regulations. “(e) DEFINITIONS OF NON-LETHAL DE-ESCALATION UNMANNED AIRCRAFT.—In this section: “(1) NON-LETHAL DE-ESCALATION UNMANNED AIRCRAFT.—The term ‘non-lethal de-escalation unmanned aircraft’ means an unmanned aircraft equipped with 1 or more non-lethal weapons or devices that is— “(A) used by law enforcement personnel in scenarios that present significant risk to human life, including the life of law enforcement personnel, captives, uninvolved individuals, the public, or a suspected criminal; and in which the suspected criminal is in a position through which he or she could potentially escalate the situation and expose human life to a high level of risk. “(2) NON-LETHAL WEAPON.—The term ‘non-lethal weapon’ has the meaning given the term in used in DOD Directive Number 300.03E, issued on August 31, 2018, by the Department of Defense.”. (b) CLERICAL AMENDMENT.—The analysis for chapter 448 of title 49, United States Code, is amended by adding at the end the following: “44811. Small unmanned aircraft pilot research for public safety.”; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Huffman (Huffman 030) (ANS 54); Beginning on page 679, line 25, strike “332,000,000 for fiscal year 2024, \$312,000,000 for fiscal year 2025, \$300,000,000 for fiscal year 2026, \$265,000,000 for fiscal year 2027, and \$252,000,000 for fiscal year 2028” and insert “335,000,000 for fiscal year 2024, \$340,000,000 for fiscal year 2025, \$342,000,000 for fiscal year 2026, \$342,000,000 for fiscal year 2027, and \$350,000,000 for fiscal year 2028”.; was **NOT AGREED TO BY VOICE VOTE**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 200) (ANS 55); At the end of title VIII of the bill, add the following: SEC. 834. PREVAILING WAGES. Section 47112(b) of title 49, United States Code, is amended by inserting “This

subsection applies to an airport development project only if the total cost of the project exceeds \$150,000 (with the Secretary of Transportation adjusting such amount for inflation each year).” after “bids.”; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 203) (ANS 56); Strike section 429.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Huffman (Huffman 029) (ANS 57); Beginning on page 679, line 25, strike “332,000,000 for fiscal year 2024, \$312,000,000 for fiscal year 2025, \$300,000,000 for fiscal year 2026, \$265,000,000 for fiscal year 2027, and \$252,000,000 for fiscal year 2028” and insert “335,000,000 for fiscal year 2024, \$340,000,000 for fiscal year 2025, \$342,000,000 for fiscal year 2026, \$342,000,000 for fiscal year 2027, and \$350,000,000 for fiscal year 2028”.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Yakym (Yakym 020) (ANS 58); Page 575, after line 2, insert the following: (J) Commercial drone industry associations.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 218) (ANS 59); At the end of the bill, add the following: TITLE X—FREEDOM TO FLY ACT OF 2023 SECTION 1001. SHORT TITLE. This title may be cited as the “Freedom to Fly Act of 2023”. SEC. 1002. PROHIBITION ON IMPLEMENTATION OF VACCINATION MANDATE. The Administrator may not implement or enforce any requirement that employees of air carriers be vaccinated against COVID–19. SEC. 1003. PROHIBITION ON VACCINATION REQUIREMENTS FOR FAA CONTRACTORS. The Administrator may not require any contractor to mandate that employees of such contractor obtain a COVID–19 vaccine or enforce any condition regarding COVID–19 vaccination status of employees of a contractor. SEC. 1004. PROHIBITION ON VACCINE MANDATE FOR FAA EMPLOYEES. The Administrator may not implement or enforce any requirement that employees of the Administration be vaccinated against COVID–19. SEC. 1005. PROHIBITION ON VACCINE MANDATE FOR PASSENGERS OF AIR CARRIERS. The Administrator may not implement or enforce any requirement that passengers of air carriers be vaccinated against COVID–19. SEC. 1006. PROHIBITION ON IMPLEMENTATION OF A MASK MANDATE. The Administrator may not implement or enforce any requirement that employee of air carriers wear a mask. SEC. 1007. PROHIBITION ON MASK MANDATES FOR FAA CONTRACTORS. The Administrator may not require any contractor to mandate that employees of such contractor wear a mask. SEC. 1008. PROHIBITION ON MASK MANDATE FOR FAA EMPLOYEES. The Administrator may not implement or enforce any requirement that employees of the Administration wear a mask. SEC. 1009. PROHIBITION ON MASK MANDATE FOR PASSENGERS OF AIR CARRIERS. The Administrator may not implement or enforce any requirement that passengers of air carriers wear a mask. SEC. 1010. DEFINITIONS. In this title: (1) ADMINISTRATOR.—The term “Administration” means the Administrator of the Federal Aviation Administration. (2) AIR CARRIER.—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.; was AGREED TO by a recorded vote of 33 yeas and 32 nays (Roll Call No. 021).

The vote was as follows:

Vote: 021			
On: Amendment to ANS H.R. 3935 offered by Mr. Perry 218			
Yea	33	Nay	32
Member	Vote	Member	Vote
Mr. Graves of MO	Nay	Mr. Larsen of WA	Nay

Mr. Crawford	Yea	<i>Ms. Norton</i>	Nay
Mr. Webster of FL	Yea	Mrs. Napolitano	Nay
Mr. Massie	Yea	Mr. Cohen	Nay
Mr. Perry	Yea	Mr. Garamendi	Nay
Mr. Babin	Yea	Mr. Johnson of GA	Nay
Mr. Graves of LA	Nay	Mr. Carson	Nay
Mr. Rouzer	Yea	Ms. Titus	Nay
Mr. Bost	Yea	Mr. Huffman	Nay
Mr. LaMalfa	Yea	Ms. Brownley	Nay
Mr. Westerman	Yea	Ms. Wilson of FL	Nay
Mr. Mast	Yea	Mr. Payne	Nay
<i>Mrs. González-Colón</i>	Yea	Mr. DeSaulnier	Nay
Mr. Stauber	Yea	Mr. Carbajal	Nay
Mr. Burchett	Yea	Mr. Stanton	Nay
Mr. Johnson of SD	Yea	Mr. Allred	Nay
Mr. Van Drew	Yea	Ms. Davids of KS	Nay
Mr. Nehls	Yea	Mr. García of IL	Nay
Mr. Gooden of TX	Yea	Mr. Pappas	Nay
Mr. Mann	Yea	Mr. Moulton	Nay
Mr. Owens	Yea	Mr. Auchincloss	Nay
Mr. Yakym	Yea	Ms. Strickland	Nay
Mrs. Chavez-DeRemer	Yea	Mr. Carter of LA	Nay
Mr. Edwards	Yea	Mr. Ryan	Nay
Mr. Kean of NJ	Yea	Mrs. Peltola	Nay
Mr. D’Esposito	Yea	Mr. Menendez	Nay
Mr. Burlison	Yea	Ms. Hoyle of OR	Nay
Mr. James	Yea	Mrs. Sykes	Nay
Mr. Van Orden	Yea	Ms. Scholten	Nay
Mr. Williams of NY	Yea	Mrs. Foushee	Nay
Mr. Molinaro	Yea		
Mr. Collins	Yea		
Mr. Ezell	Yea		
Mr. Duarte	Yea		
Mr. Bean of FL	Yea		

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 207) (ANS 60); Strike section 419 of the bill and insert the following: SEC. 419. REPEAL. Section 47136 of title 49, United States Code, is repealed.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 222) (ANS 61); At the end of title VIII of the bill, add the following: SEC. 834. AIR TRAFFIC CONTROLLER SEPARATION. Section 8335(a) of title 5, United States Code, is amended— (1) by striking “56 years of age” and inserting “58 years of age”; and (2) by striking “61 years of age” and inserting “63 years of age”.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. DeSaulnier (DeSaulnier 017) (ANS 62); At the end of title VIII, add the following: SEC. ____.

TASK FORCE ON HUMAN FACTORS IN AVIATION SAFETY. (a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall convene a task force on human factors in aviation safety (in this section referred to as the “Task Force”). (b) COMPOSITION.—The Task Force shall consist of members appointed by the Administrator and having expertise in an operational or academic discipline that is relevant to the analysis of human errors in aviation. The number of members shall be determined by the Administrator to ensure sufficient representation of relevant operational and academic disciplines. (c) DURATION.— (1) IN GENERAL.— Members of the Task Force shall be appointed for the length of the existence of the Task Force. (2) LENGTH OF EXISTENCE.— (A) IN GENERAL.—The Task Force shall have an initial length of existence of 2 years. (B) OPTION.—The Administrator may exercise an option to lengthen the duration of the existence of the Task Force for a period of 2 years. (d) DISCIPLINES.—For purposes of subsection (b), disciplines may include air carrier operations, line pilot expertise, air traffic control, technical operations, aeronautical information, aircraft maintenance and mechanics psychology, linguistics, human-machine integration, general aviation operations, and organizational behavior and culture. (e) EXPERTISE.— (1) IN GENERAL.—No less than half of the members shall have expertise in aviation. (2) ADDITIONAL EXPERTISE.—The Task Force shall include members with expertise on human factors but whose experience and training are not in aviation specifically and who have not previously been engaged in work related to the Federal Aviation Administration or the aviation industry. The Task Force shall also include pilot labor organization, certificated mechanic labor organizations, and at least one member from an air traffic controller labor organization. (f) FEDERAL AVIATION ADMINISTRATION MEMBERS.— (1) IN GENERAL.—Not more than 4 members may be employees of the Federal Aviation Administration and National Transportation Safety Board, excluding representatives of the labor representatives of employees of the air traffic control system. Not more than 2 members may be employees of the National Transportation Safety Board. The Federal Aviation Administration and the National Transportation Safety Board members shall be non-voting. (2) FEDERAL AVIATION ADMINISTRATION EMPLOYEES.—Any member who is an Federal Aviation Administration employee shall have expertise in safety. (g) DUTIES.—In coordination with the Research, Engineering, and Development Advisory Committee established under section 44508 of title 49, United States Code, the Task Force shall— (1) not later than the date on which the Task Force is no longer in existence, produce a written report that— (A) to the greatest extent possible, identifies the most significant human factors and the relative contribution of such factors to aviation safety risk; (B) identifies new research priorities for research in human factors in aviation safety; (C) reviews existing products by other working groups related to human factors in aviation safety including the Commercial Aviation Safety Team (CAST)’s work pertaining to flight crew responses to abnormal events; (D) provides recommendations on potential revisions to any Federal Aviation Administration regulations and guidance pertaining to the certification of aircraft under part 25 of title 14, Code of Federal Regulations, including sections related to presumed pilot response times and assumptions about the reliability of pilot performance during unexpected, stressful events; (E) reviews rules, regulations, or standards regarding flight crew rest and fatigue, as well as maintenance personnel rest and fatigue, that are used by a sample of international air carriers, including those deemed to be more stringent and less stringent than the current standards pertaining to United States air carriers, and identify risks to the National Airspace System from any such variation in standards across countries; (F) reviews pilot training requirements and recommend any revisions necessary to ensure adequate understanding of automated systems on aircraft; (G) reviews approach and landing misalignment and make any recommendations for improving these events; (H) identifies ways to enhance instrument landing system maintenance schedules; determines how a real-time smart system should be developed that informs the Air Traffic Control System, Airlines, and Airports about any changes in the state of runway and taxiway lights; and identifies how this system could be connected to the Federal Aviation Administration’s maintenance system; (I) analyzes, with respect to

human errors related to aviation safety of part 121 air carriers—(i) fatigue and distraction during critical phases of work among pilots or other aviation personnel; (ii) tasks and workload; (iii) organizational culture; (iv) communication among personnel; (v) adherence to safety procedures; (vi) mental state of personnel; and (vii) any other relevant factors that are the cause or potential cause of human error related to aviation safety; (J) includes a tabulation of the number of accidents, incidents, or aviation safety database entries received in which an item identified under subparagraph (I) was a cause or potential cause of human error related to aviation safety; and (K) includes a list of causes or potential causes of human error related to aviation safety about which the Administrator believes additional information is needed; and (2) if the Secretary exercises the option described in subsection (c)(2)(B), not later than the date that is 2 years after the date of establishment of the Task Force, produce an interim report containing the information described in paragraph (1). (h) METHODOLOGY.—To complete the report under subparagraphs (I) through (K) of subsection (g)(1), the Task Force shall consult with the National Transportation Safety Board and use all available data compiled and analysis conducted on safety incidents and irregularities collected during the relevant fiscal year from the following: (1) Flight Operations Quality Assurance. (2) Aviation Safety Action Program. (3) Aviation Safety Information Analysis and Sharing. (4) The Aviation Safety Reporting System. (5) Aviation safety recommendations and investigation findings of the National Transportation Safety Board. (6) Other relevant programs or sources. (i) APPLICABLE LAW.—Section 1013 of title 5, United States Code, shall not apply to the Task Force.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 214) (ANS 63); Page 256, line 1, strike “or labor”. Page 256, line 7, strike “or labor”.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Garamendi (Garamendi 062) (ANS 64); At the end of title VIII, add the following: SEC. ____ PROJECT DELIVERY INNOVATION. (a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by adding at the end the following: “§ 47145. Project delivery innovation “(a) IN GENERAL.—The Secretary of Transportation shall allow any airport eligible to receive grants under this subchapter to implement projects using funding made available under the heading ‘Federal Aviation Administration—Airport Infrastructure Grants’ under title VIII of the Infrastructure Investment and Jobs Act (Public Law 117–58) through contracting mechanisms that would comply with existing law and regulations governing the use of Federal funding for airport projects under this subchapter through alternative delivery methods such as Construction Manager-at-Risk or Progressive Design Build. “(b) PROCUREMENT.—The funding described in subsection (a) may be allocated to a non-federally procured existing project that is utilizing an alternative delivery method, as long as the eligible airport modifies existing contracts to incorporate the required Federal provisions.”. (b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 471 of title 49, United States Code, is amended by adding at the end the following: “47145. Project delivery innovation.”.; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 220) (ANS 65); Page 691, line 11, strike “and”. Page 691, line 13, strike the period and insert “; and”. Page 691, after line 13, insert the following: (4) the sale or disposal of unneeded offices.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. DeSaulnier (DeSaulnier 016) (ANS 66); At the end of title VIII, add the following: SEC. 834. PAID FAMILY AND MEDICAL LEAVE FOR FAA AND TSA EMPLOYEES. (a) IN GENERAL.—Section 40122(g)(5) of title 49, United States Code, is amended to read as follows: “(5) FAMILY AND MEDICAL LEAVE.— “(A) PAID PARENTAL LEAVE.— “(i) IN GENERAL.—The Administrator shall implement a paid parental leave benefit for employees of the Administration that is, at a minimum, consistent with the paid parental leave benefits provided under section 6382 of title 5. “(ii) ADDITIONAL REQUIREMENTS.— The paid parental leave benefit provided under clause (i) shall provide for the following: “(I) The entitlement to leave for the placement of a son or daughter with the

employee for adoption or foster care may commence prior to the placement of the son or daughter to be adopted for activities necessary to allow the adoption to proceed. “(II) An employee may use leave for the birth of a son or daughter of the employee and in order to care for such son or daughter in the event that the employee experiences any of the following: “(aa) A pregnancy loss. “(bb) An unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. “(cc) A failed adoption match or an adoption that is not finalized because it is contested by another party. “(dd) A failed surrogacy arrangement. “(ee) A diagnosis or event that impacts pregnancy or fertility.”(III) An employee may use leave for the birth of a son or daughter of the employee and in order to care for such son or daughter in the event that the absence is necessary to care for a spouse or domestic partner who experiences a circumstance described in subclause (II). “(IV)(aa) In the event that an employee gives birth to a child under a surrogacy arrangement, the employee may use leave for the birth of a son or daughter of the employee and in order to care for such son or daughter during such recovery period. “(bb) For an employee who gives birth to a child under a surrogacy arrangement, the child shall be considered to be the child of the employee for purposes of determining entitlement to leave under provided pursuant to this subparagraph. “(V) In the event that a child dies during the birth-giving parent’s post-birth recovery period, the employee may use leave for the birth of a son or daughter of the employee and in order to care for such son or daughter during such recovery period. In the case of the employee who is not the birth-giving parent, such leave is available only to the extent the employee is providing care to the birth9 giving parent. In these circumstances, an employee may not use paid leave, provided pursuant to subparagraph (B), that is described in paragraphs (C) or (D) section 102(a)(1) of the Family and Medical Leave Act of 1993. “(B) OTHER PAID FAMILY AND MEDICAL LEAVE.—The Administrator shall implement a paid leave benefit for employees of the Administration that provides paid family and medical leave described in each of subparagraphs (C), (D), and (E) of section 102(a)(1) of the Family and Medical Leave Act of 1993. Such paid leave benefit shall be in addition to any other paid leave provided to employees.’’. (b) TSA.—Section 111(d)(B) of the Aviation and Transportation Security Act is amended by adding after the period at the end the following: “The provisions of paragraph (5)(A)(ii) and paragraph (5)(B) of section 40122(g) of title 49, United States Code, shall apply to any individual appointed under paragraph (1).’’. (c) APPLICATION.—Subparagraph (A)(ii) and subparagraph (B) of such section 40122(g)(5) (as added by subsection (a) of this section), and the amendment to subparagraph (B) of section 111(d) of the Aviation and Transportation Security Act under subsection (b) of this section, shall apply with respect to any event for which family and medical leave may be taken under any of such subparagraphs occurring on or after the date that is 6 months after the date of enactment of this Act.; was NOT AGREED TO by a recorded vote of 28 yeas and 37 nays (Roll Call No. 022).

The vote was as follows:

Vote: 022			
On: Amendment to ANS H.R. 3935 offered by Mr. DeSaulnier 016			
Yea	28	Nay	37
Member	Vote	Member	Vote
Mr. Graves of MO	Nay	Mr. Larsen of WA	Nay
Mr. Crawford	Nay	Ms. Norton	Yea
Mr. Webster of FL	Nay	Mrs. Napolitano	Yea
Mr. Massie	Nay	Mr. Cohen	Nay
Mr. Perry	Nay	Mr. Garamendi	Yea
Mr. Babin	Nay	Mr. Johnson of GA	Yea
Mr. Graves of LA	Nay	Mr. Carson	Yea
Mr. Rouzer	Nay	Ms. Titus	Yea
Mr. Bost	Nay	Mr. Huffman	Yea
Mr. LaMalfa	Nay	Ms. Brownley	Yea

Mr. Westerman	Nay	Ms. Wilson of FL	Yea
Mr. Mast	Nay	Mr. Payne	Yea
<i>Mrs. González-Colón</i>	Nay	Mr. DeSaulnier	Yea
Mr. Stauber	Nay	Mr. Carbajal	Yea
Mr. Burchett	Nay	Mr. Stanton	Yea
Mr. Johnson of SD	Nay	Mr. Allred	Yea
Mr. Van Drew	Nay	Ms. Davids of KS	Nay
Mr. Nehls	Nay	Mr. García of IL	Yea
Mr. Gooden of TX	Nay	Mr. Pappas	Yea
Mr. Mann	Nay	Mr. Moulton	Yea
Mr. Owens	Nay	Mr. Auchincloss	Yea
Mr. Yakym	Nay	Ms. Strickland	Yea
Mrs. Chavez-DeRemer	Nay	Mr. Carter of LA	Yea
Mr. Edwards	Nay	Mr. Ryan	Yea
Mr. Kean of NJ	Nay	Mrs. Peltola	Yea
Mr. D’Esposito	Nay	Mr. Menendez	Yea
Mr. Burlison	Nay	Ms. Hoyle of OR	Yea
Mr. James	Nay	Mrs. Sykes	Yea
Mr. Van Orden	Yea	Ms. Scholten	Yea
Mr. Williams of NY	Nay	Mrs. Foushee	Yea
Mr. Molinaro	Nay		
Mr. Collins	Nay		
Mr. Ezell	Nay		
Mr. Duarte	Nay		
Mr. Bean of FL	Nay		

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 205) (ANS 67); At the end of title VIII, add the following: SEC. ____ AIRSPACE CLEARINGHOUSE ENHANCEMENT. (a) STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.—Section 44718 of title 49, United States Code, is further amended— (1) in subsection (a), by inserting “on a publicly available website” after “public notice”; (2) by redesignating subsection (h) as subsection (I; and (3) by inserting after subsection (g) the following: “(h) SPECIAL RULE FOR ENERGY PROJECTS.— “(1) IN GENERAL.—Any person who is required to submit an application for an energy project under this section shall include in such application a disclosure of any relationship such person has with a foreign principal or with an agent of a foreign principal. “(2) INACCURATE DISCLOSURE OF RELATIONSHIP WITH FOREIGN PRINCIPAL.— “(A) IN GENERAL.—The Secretary of Transportation, in consultation with the Attorney General of the United States, shall establish a process to evaluate the accuracy of a disclosure made under paragraph (1) and determine whether a person has knowingly violated such paragraph. “(B) INITIAL PENALTY FOR INACCURATE DISCLOSURE.—If the Secretary determines that a person has knowingly violated paragraph (1), such person shall be prohibited from submitting an application for an energy project under this section during the period beginning on the date on which the Secretary made the determination under subparagraph (A) and ending on the date that is 2 years after such determination. “(C) PENALTIES FOR SUBSEQUENT INACCURATE DISCLOSURES.—If the Secretary determines that a person knowingly violates paragraph (1) after an initial violation under subparagraph (B), such person shall be permanently prohibited from submitting an application for an energy project under this section. “(3)

DEFINITIONS.—In this subsection: “(A) ENERGY PROJECT.—The term ‘energy project’ has the meaning given such term in section 183a(h) of title 10. “(B) FOREIGN PRINCIPAL; AGENT OF A FOREIGN PRINCIPAL.—The terms ‘foreign principal’ and ‘agent of a foreign principal’ have the meaning given such terms in section 1 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611).”.

(b) REVIEW OF PROPOSED ACTIONS.—Section 183a(c)(3) of title 10, United States Code, is amended by inserting “The Clearinghouse shall ensure that a governor has at least 120 days after the date on which the governor receives the notice of presumed risk to provide any such comments and shall provide detailed information and other information necessary to ensure that the governor can fully understand the nature of the presumed risk.” after the first sentence.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Perry (Perry 201) (ANS 68); TITLE X—ATC CORPORATION; was **NOT AGREED TO** by voice vote.

En Bloc amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Graves of Missouri (Graves MO 016) (ANS 69 En Bloc); Page 199, line 10, insert “and may not duplicate the objectives of the Air Carrier Training Aviation Rulemaking Committee” before the period at the end. Strike section 547 and insert the following: SEC. 547. INCREMENTAL SAFETY IMPROVEMENT. Section 44704 of title 49, United States Code, is amended by adding at the end the following: “(h) INCREMENTAL SAFETY IMPROVEMENT.— “(1) IN GENERAL.—The Administrator may consider and approve a proposed incremental design change request from a type certificate holder, if such holder is required by the Administrator to make a safety-related design change to bring a product into compliance, even if the proposed incremental design change does not eliminate all non-compliant conditions. “(2) PROPOSED INCREMENTAL DESIGN CHANGE.—A proposed incremental design change under paragraph (1) shall— “(A) be related to the required safety-related change described in this subsection; and “(B) improve safety. “(3) FULL COMPLIANCE.—An approval issued under this subsection shall not be construed to relieve a type certificate holder from addressing all noncompliant conditions under paragraph (1).”.

Strike section 744. Strike section 845 and insert the following: SEC. 845. CREWMEMBER PUMPING GUIDANCE. (a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall issue guidance to part 121 air carriers relating to the expression of milk by crewmembers on an aircraft during noncritical phases of flight, consistent with the performance of the crewmember’s duties aboard the aircraft. The guidance shall be equally applicable to any lactating crewmember. In developing the guidance, the Administrator shall— (1) consider multiple methods of expressing breast milk that could be used by crewmembers, including the use of wearable lactation technology; and (2) ensure the guidance will not require an air carrier or foreign air carrier to incur significant expense, such as through— (A) the addition of an extra crewmember in response to providing a break; (B) removal or retrofitting of seats on the aircraft; or (C) modification or retrofitting of an aircraft. (b) DEFINITIONS.—In this section: (1) CREWMEMBER.—The term “crewmember” has the meaning given such term in section 1.1 of title 14, Code of Federal Regulations. (2) CRITICAL PHASES OF FLIGHT.—The term “critical phases of flight” has the meaning given such term in section 121.542 of title 14, Code of Federal Regulations. (3) PART 121.—The term “part 121” means part 121 of title 14, Code of Federal Regulations. (c) AVIATION SAFETY.—Nothing in this section shall limit the authority of the Administrator relating to aviation safety under subtitle VII of title 49, United States Code.

(Norton 056) (ANS 69 En Bloc); Page 451, line 10, strike “18” and insert “12”. Page 451, line 15, insert “, and training required for flight crew” after “medical kits”. Page 451, line 18, insert “(including the costs of flight diversions and emergency landings)” after “costs”. Page 451, strike lines 22 through 24 and insert the following: (2) whether the contents of the emergency medical kits include the appropriate medications and equipment that can practicably be administered to address—Page 452, after line 5, insert the following: (c) CONSULTATION.—In conducting the review required under subsection (a), the Administrator shall consult with associations representing aerospace medical professionals.

(Molinaro 052 Revised) (ANS 69 En Bloc); Page 574, strike line 23 and all that follows through page 575, line 2 and insert the following: (I) certified labor organizations representing commercial airline pilots, air traffic control specialists employed by the Administration, certified aircraft maintenance

technicians, certified aircraft dispatchers, and aviation safety inspectors. Page 631, strike line 24. Page 632, strike lines 11 through 17 and insert the following: (16) certified labor organizations representing aviation workers, including— (A) Federal Aviation Administration employees; (B) airline pilots working for air carriers operating under part 121 of title 14, Code of Federal Regulations; (C) flight attendants working for air carriers operating under part 121 of title 14, Code of Federal Regulations; and (D) other customer facing airline and airport workers; Page 692, strike lines 11 through 13 and insert the following: (4) certified labor organizations representing flight attendants at air carriers operating under part 121 of title 14, Code of Federal Regulations; (5) certified labor organizations representing aircraft maintenance technicians; (6) certified labor organizations representing other aviation workers, as appropriate;

(Garamendi 065 Revised) (ANS 69 En Bloc); At the end of title VIII, add the following: SEC. II. AIRCRAFT INTERCHANGE AGREEMENT LIMITATIONS. (a) IN GENERAL.—Not later than 6 months after the date of enactment of this section, the Administrator shall revise section part 121.569 of title 14, Code of Federal Regulations, to include each of the provisions described in subsection (b). (b) PROVISIONS DESCRIBED.—The provisions described in this subsection are the following: (1) A 30-day limit on foreign aircraft interchange agreements. (2) A minimum break between foreign aircraft interchange renewals of 90 days. (3) A limit of no more than 1 foreign aircraft interchange agreement between 2 airlines. (4) A limit of no more than 2 foreign aircraft on the interchange agreement;

(Edwards 012 Revised) (ANS 69 En Bloc); Page 280, after line 21, insert the following: (d) REPORT.—The Comptroller General of the United States shall issue a report on the Airports Office of the Federal Aviation Administration and the Airport Improvement Program and include in such report a description of— (1) the responsibilities of States participating in the block grant program under section 47128 of title 49, United States Code; and (2) the impact of the Infrastructure Investment and Jobs Act (117–58) and other Federal administrative funding sources on the ability of such States to disburse and administer Airport Improvement Program funds.;

(Ezell 007) (ANS 69 En Bloc); At the end of title VIII of the bill, add the following: SEC. 834. SECONDARY RUNWAYS. In approving grants for projects with funds made available pursuant to title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) under the heading “Federal Aviation Administration— Airport Infrastructure Grants”, the Administrator of the Federal Aviation Administration shall consider permitting a nonhub or small hub airport to use such funds to extend secondary runways, notwithstanding the level of operational activity as such airport;

(Molinaro 051 Revised) (ANS 69 En Bloc); Page 574, strike line 23 and all that follows through page 575, line 2 and insert the following: (1) certified labor organizations representing commercial airline pilots, air traffic control specialists employed by the Administration, certified aircraft maintenance technicians, certified aircraft dispatchers, and aviation safety inspectors. Page 631, strike line 24. Page 632, strike lines 11 through 17 and insert the following: (16) certified labor organizations representing aviation workers, including— (A) Federal Aviation Administration employees; (B) airline pilots working for air carriers operating under part 121 of title 14, Code of Federal Regulations; (C) flight attendants working for air carriers operating under part 121 of title 14, Code of Federal Regulations; and (D) other customer facing airline and airport workers; Page 692, strike lines 11 through 13 and insert the following: (4) certified labor organizations representing flight attendants at air carriers operating under part 121 of title 14, Code of Federal Regulations; (5) certified labor organizations representing aircraft maintenance technicians; (6) certified labor organizations representing other aviation workers, as appropriate;

(Molinaro 053) (ANS 69 En Bloc); At the end of title VII, add the following: SEC. _____. SPECIAL RULE FOR RECLASSIFICATION OF CERTAIN UNCLASSIFIED AIRPORTS. (a) REQUEST FOR RECLASSIFICATION.— (1) IN GENERAL.—Not later than September 30, 2024, a privately owned reliever airport (as defined in section 47102 of title 49, United States Code) that is identified as unclassified in the National Plan of Integrated Airport Systems, 2021– 2025 (as published under section 47103 of title 49, United States Code) may submit to the Secretary of Transportation a request to reclassify the airport according to the criteria used to classify a publicly owned airport. (2) REQUIRED INFORMATION.—In submitting a request under paragraph (1), the privately owned reliever airport shall include the following information: (A) A sworn statement and accompanying documentation that demonstrates how the airport would satisfy the requirements of Federal Aviation Administration Order 5090.5, titled “Formulation of the NPIAS and ACIP”, (or any successor guidance) to be classified as “Local” or “Basic” if the airport was publicly owned. (B) A report that— (i) identifies the role of the airport to the aviation system; and (ii) describes the long-term fiscal viability of the airport based on

demonstrated aeronautical activity and associated revenues relative to ongoing operating and maintenance costs. (b) ELIGIBILITY REVIEW.— (1) IN GENERAL.—Not later than 60 days after receiving a request from a privately owned reliever airport under subsection (a), the Secretary of Transportation shall perform an eligibility review with respect to the airport, including an assessment of the airport’s safety, security, capacity, access, compliance with Federal grant assurances, and protection of natural resources and the quality of the environment, as prescribed by the Secretary. (2) PUBLIC SPONSOR.—In performing the eligibility review under paragraph (1), the Secretary of Transportation— (A) may require the airport requesting reclassification to provide information regarding the outlook (whether positive or negative) for obtaining a public sponsor; and (B) may not require the airport to obtain a public sponsor. (c) RECLASSIFICATION BY THE SECRETARY.— (1) IN GENERAL.—Not later than 60 days after receiving a request from a privately owned reliever airport under subsection (a)(1), the Secretary of Transportation shall grant such request if the following criteria are met: (A) The request includes the required information under subsection (a)(2). (B) The privately owned reliever airport, to the satisfaction of the Secretary— (i) passes the eligibility review performed under subsection (b); or (ii) submits a corrective action plan in accordance with paragraph (2). (2) CORRECTIVE ACTION PLAN.—With respect to a privately owned reliever airport that does not, to the satisfaction of the Secretary, pass the eligibility review performed under subsection (b), such airport may resubmit to the Secretary a reclassification request along with a corrective action plan that— (A) resolves any shortcomings identified in such eligibility review; and (B) proves that any necessary corrective action has been completed by the airport. (d) EFFECTIVE DATE.—The reclassification of any privately owned reliever airport under this section shall take effect not later than— (1) fiscal year 2025 for any request granted under subsection (c)(1); and (2) fiscal year 2026 for any request granted after the submission of a corrective action plan under subsection (c)(2).;

(Gooden TX 036) (ANS 69 En Bloc); At the end of title VIII, add the following: SEC. 811. FEDERAL AVIATION ADMINISTRATION ACADEMY AND FACILITY EXPANSION PLAN. (a) PLAN.— (1) IN GENERAL.—No later than 90 days after the date of enactment of this section, the Administrator shall initiate the development of a plan to— (A) expand overall FAA capacity relating to facilities, instruction, equipment, and training resources to grow the number of developmental air traffic controllers enrolled per fiscal year and support increases in FAA air controller staffing to advance the safety of the national airspace system; and (B) establish a second FAA Academy. (2) CONSIDERATIONS.—In developing the plan under paragraph (1), the Administrator shall consider— (A) the resources needed to support an increase in the total number of developmental air traffic controllers enrolled at the FAA Academies; (B) the resources needed to lessen FAA Academy attrition per fiscal year; (C) how to modernize the education and training of developmental air traffic controllers, including through the use of new techniques and technologies to support instruction, and whether field training can be administered more flexibly, such as at other FAA locations across the country; (D) the equipment needed to support expanded instruction, including air traffic control simulation systems, virtual reality, and other virtual training platforms; (E) projected staffing needs associated with FAA Academy expansion and the operation of virtual education platforms, including the number of on-the-job instructors needed to educate and train additional developmental air traffic controllers; (F) the use of existing FAA-owned facilities and classroom space and identifying potential opportunities for new construction; (G) the costs of— (i) expanding FAA capacity (as described in paragraph (1)(A)); and (ii) establishing a second FAA Academy (as described in paragraph (1)(B)); (H) soliciting input from, and coordinating with, relevant stakeholders as appropriate, including the exclusive bargaining representative of air traffic control specialists of the FAA certified under section 7111 of title 5, United States Code; and (I) other logistical and financial considerations as determined by appropriate the Administrator. (b) REPORT.— Not later than one year after the date of enactment of this section, the Administrator shall submit to the appropriate committees of Congress the plan developed under subsection (a). (c) BRIEFING.—Not later than 180 days after the submission of the plan under subsection (b), the Administrator shall brief the appropriate committees of Congress on the plan, including the implementation of the plan.;

(Johnson SD 033) (ANS 69 En Bloc); Page 679, strike lines 17 through 20 and insert the following: (3) SECTION 41731.—Section 41731 of title 49, United States Code, is amended— (A) in subsection (c) by inserting “and section 41737(a)(1)(F)” after “subsection (a)(1)”; and (B) in subsection (d) by inserting “and section 41737(a)(1)(F)” after “subsection (a)(1)(B)”;

(Stauber 017) (ANS 69 En Bloc); Page 679, line 16, strike “not greater than”;

(Stauber 018) (ANS 69 En Bloc); Page 640, strike line 3 and all that follows through page 643, line 3 and insert the following: (d) FEASIBILITY OF IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS.— (1) ROADMAP.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a publicly available strategic roadmap that describes how the Department of Transportation and the United States Access Board, respectively, shall, in accordance with the recommendations from the National Academies of Science, Engineering, and Mathematics Transportation Research Board Special Report 341— (A) establish a program of research, in collaboration with the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA), the assistive technology industry, air carriers, original equipment manufacturers, national disability and disabled veterans organizations, and any other relevant stakeholders, to test and evaluate an appropriate selection of WC19-compliant wheelchairs and accessories in accordance with applicable FAA crashworthiness and safety performance criteria, including the issues and considerations set forth in Special Report 341; and (B) sponsor studies that assess issues and considerations, including those set forth in Special Report 341, such as— (i) the likely demand for air travel by individuals who are nonambulatory if such individuals could remain seated in their personal wheelchairs in flight; and (ii) the feasibility of implementing seating arrangements that would accommodate passengers in wheelchairs in the main cabin in flight. (2) STUDY.—If determined to be technically feasible by the Secretary, not later than 2 years after making such determination, the Secretary shall commence a study to assess the economic and financial feasibility of air carriers and foreign air carriers implementing seating arrangements that accommodate passengers with wheelchairs (including power wheelchairs, manual wheelchairs, and scooters) in the main cabin during flight. Such study shall include an assessment of— (A) the cost of such seating arrangements, equipment, and installation; (B) the demand for such seating arrangements; (C) the impact of such seating arrangements on passenger seating and safety on aircraft; (D) the impact of such seating arrangements on the cost of operations and airfare; and (E) any other information determined appropriate by the Secretary. (3) REPORT.—Not later than 1 year after the date on which the study under paragraph (2) is completed, the Secretary shall submit to the appropriate committees of Congress a publicly available report describing the results of the study conducted under paragraph (2), together with any recommendations the Secretary determines appropriate.;

(Auchincloss 017) (ANS 69 En Bloc); At the end of title VIII of the bill, add the following: SEC. 834. RULE OF CONSTRUCTION. Nothing in this Act shall be construed to— (1) prevent airports from engaging in curb management practices, including determining and assigning curb designations, regulations, and to install and maintain upon any of the roadways or parts of roadways as many curb zones as necessary to aid in the regulation, control, and inspection of passenger loading and unloading; or (2) prevent airports from enforcing curb zones using sensor, camera, automated license plate recognition, and software technologies and issuing citations by mail to the registered owner of the vehicle.;

(Titus 057) (ANS 69 En Bloc); At the end of subtitle A of title VII, add the following: SEC. 7____. IMPROVED TRAINING STANDARDS FOR ASSISTING PASSENGERS WHO USE WHEELCHAIRS. (a) RULEMAKING.—Not later than 6 months after the date of enactment of this section, the Secretary shall issue a notice of proposed rulemaking to develop requirements for minimum training standards for airline personnel or contractors who assist wheelchair users who must board or deplane using an aisle chair or other boarding device. (b) REQUIREMENTS.—The training standards developed under subsection (a) shall require, at a minimum, that airline personnel or contractors who assist wheelchair users who must board or deplane using an aisle chair or other boarding device— (1) complete refresher training within 18 months and be recertified on the job within 18 months by a superior in order to remain qualified for providing aisle chair assistance; and (2) be able to successfully demonstrate the each of following skills in hands-on training sessions before being allowed to board or deplane a passenger using an aisle chair or other boarding device: (A) How to safely use the aisle chair, or other boarding device, including the use of all straps, brakes, and other safety features. (B) How to assist in the transfer of passengers to and from their wheelchair, the aisle chair, and the aircraft’s passenger seat, either by physically lifting the passenger or deploying a mechanical device for the lift or transfer. (C) How to effectively communicate with, and take instruction from, the passenger. (c) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum— (1) whether to require air carriers and foreign air carriers to partner with national disability organizations and disabled veterans organizations representing individuals with disabilities who use wheelchairs and scooters in developing and reviewing training; and (2) whether individuals able to provide boarding and deplaning assistance for passengers with limited or no mobility should receive

training incorporating procedures from medical professionals on how to properly lift these passengers. (d) FINAL RULE.—Not later than 12 months after the date of enactment of this section, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section. (e) PENALTIES.—The Secretary may assess a civil penalty in accordance with section 46301 of title 49, United States Code, to any air carrier or foreign air carrier who fails to meet the requirements established under the final rule under subsection (d).

SEC. 7____. TRAINING STANDARDS FOR STOWAGE OF WHEELCHAIRS AND SCOOTERS. (a) RULEMAKING.—Not later than 6 months after the date of enactment of this section, the Secretary shall issue a notice of proposed rulemaking to develop minimum training standards related to stowage of wheelchairs and scooters on aircraft. (b) REQUIREMENTS.—The training standards developed under subsection (a) shall require, at a minimum, that airline personnel or contractors who stow wheelchairs and scooters on aircraft— (1) complete refresher training within 18 months and be recertified on the job within 18 months by a superior in order to remain qualified for handling and stowing wheelchairs and scooters; and (2) be able to successfully demonstrate the each of following skills in hands-on training sessions before being allowed to handle or stow a wheelchair or scooter: (A) How to properly handle and configure, at a minimum on a common design for power and manual wheelchairs and scooters for stowage on each aircraft type operated by the air carrier or foreign air carrier. (B) How to properly review any wheelchair or scooter information provided by the passenger or the assistive device manufacturer. (C) How to properly load, secure, and unload wheelchairs and scooters, including how to use any specialized equipment for loading or unloading, on each aircraft type operated by the air carrier or foreign air carrier. (c) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum whether to require air carriers and foreign air carriers to partner with wheelchair manufacturers, national disability and disabled veterans organizations resenting individuals who use wheelchairs and scooters, and aircraft manufacturers, in developing training. (d) FINAL RULE.—Not later than 12 months after the date of enactment of this section, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section. (e) PENALTIES.—The Secretary may assess a civil penalty in accordance with section 46301 of title 49, United States Code, to any air carrier or foreign air carrier who fails to meet the requirements established under the final rule under subsection (d).

SEC. 7II. INVESTIGATION OF COMPLAINTS. Section 41705(c) of title 49, United States Code, is amended by striking paragraph (1), and inserting the following: “(1) IN GENERAL.—The Secretary shall— “(A) not later than 120 days after the receipt of any complaint of a violation of this section or a regulation prescribed under this section, investigate such complaint; and “(B) provide, in writing, to the individual that filed the complaint and the air carrier or foreign air carrier alleged to have violated this section or a regulation prescribed under this section, the determination of the Secretary with respect to— “(i) whether the air carrier or foreign air carrier violated this section or a regulation prescribed under this section; “(ii) the facts underlying the complaint; and “(iii) any action the Secretary is taking in response to the complaint.””. At the end of subtitle B of title VII, insert the following:

SEC. 754. STANDARDS. (a) AIRCRAFT ACCESS STANDARDS.— (1) STANDARDS.— (A) ADVANCE NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation shall issue an advanced notice of proposed rulemaking regarding standards to ensure that the aircraft boarding and deplaning process is accessible, in terms of design for and transportation of, and communication with, individuals with disabilities, including individuals who use wheelchairs. (B) NOTICE OF PROPOSED RULE2 MAKING.—Not later than 1 year after the date on which the advanced notice of proposed rulemaking under subparagraph (A) is completed, the Secretary shall issue a notice of proposed rulemaking regarding standards addressed in subparagraph (A). (C) FINAL RULE.—Not later than 1 year after the date on which the notice of proposed rulemaking under subparagraph (B) is completed, the Secretary shall issue a final rule. (2) COVERED AIRPORT, EQUIPMENT, AND FEATURES.—The standards prescribed under paragraph (1)(A) shall address, at a minimum— (A) boarding and deplaning equipment; (B) improved procedures to ensure the priority cabin stowage for manual assistive devices pursuant to section 382.67 of title 14, Code of Federal Regulations; and (C) improved cargo hold storage to prevent damage to assistive devices. (3) CONSULTATION.—For purposes of the rulemaking in subsection (a), the Secretary shall consult with the Access Board and any other relevant department or agency to determine appropriate accessibility standards. (b) IN-FLIGHT ENTERTAINMENT RULEMAKING.— Not later than 1 year after the date of the enactment of this section, the Secretary shall issue a notice of proposed rulemaking in accordance with the November 22, 2016 Resolution of the U.S. Department of Transportation ACCESS Committee’s and the consensus recommendation set forth in Term Sheet Reflecting Agreement of the Access Committee Regarding In-Flight Entertainment. (c) NEGOTIATED RULEMAKING ON IN-CABIN

WHEELCHAIR RESTRAINT SYSTEMS AND ENPLANING AND DEPLANING STANDARDS.— (1) TIMING.— (A) IN GENERAL.—Not later than 1 year after completion of the report required by section 735(d)(3), and if that report finds economic and financial feasibility of air carriers and foreign air carriers implementing seating arrangements that accommodate passengers with wheelchairs (including power wheelchairs, manual wheelchairs, and scooters) in the main cabin during flight, the Secretary shall conduct a negotiated rulemaking on new type certificated aircraft standards for seating arrangements that accommodate passengers with wheelchairs (including power wheelchairs, manual wheelchairs, and scooters) in the main cabin during flight or an accessible route to a minimum of 2 aircraft passenger seats for passengers to access from their personal assistive devices. (B) REQUIREMENT.—The negotiated rulemaking shall include participation of representatives of— (i) air carriers; (ii) aircraft manufacturers; (iii) national disability organizations; (iv) aviation safety experts; and (v) mobility aid manufacturers. (2) NOTICE OF PROPOSED RULEMAKING.—Not later than 1 year after the completion of the negotiated rulemaking required by paragraph (1), the Secretary shall issue a notice of proposed rulemaking regarding the standards in paragraph (1). (3) FINAL RULE.—Not later than 1 year after the date on which the notice of proposed rulemaking under paragraph (2) is completed, the Secretary shall issue a final rule regarding the standards in paragraph (1). (4) CONSIDERATIONS.— In the negotiated rulemaking and rulemaking required under this subsection, the Secretary shall consider— (A) a reasonable period for the design, certification, and construction of aircraft that meet the requirements; (B) the safety of all persons on-board the aircraft, including necessary wheelchair standards and wheelchair compliance with FAA crashworthiness and safety performance criteria; and (C) the costs of design, installation, equipage, and aircraft capacity impacts, including partial fleet equipage and fare impacts. (d) VISUAL AND TACTILELY ACCESSIBLE ANNOUNCEMENTS.—The Advisory Committee established under section 439(g) of the FAA Reauthorization Act of 2018 (49 U.S.C. 41705 note) (as amended by section 731) shall examine technical solutions and the feasibility of visually and tactilely accessible announcements on-board aircraft. (e) AIRPORT FACILITIES.—Not later than 2 years after the date of enactment of this Act, the Secretary shall, in direct consultation with the Access Board, prescribe regulations setting forth minimum standards under section 41705 of title 49, United States Code (commonly known as the “Air Carrier Access Act”), that ensure all gates (including counters), ticketing areas, and customer service desks covered under such section at airports are accessible to and usable by all individuals with disabilities, including through the provision of visually and tactilely accessible announcements and full and equal access to aural communications. (f) DEFINITIONS.—In this section: (1) ACCESS BOARD.—The term “Access board” means the Architectural and Transportation Barriers Compliance Board. (2) AIR CARRIER.—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code. (3) INDIVIDUAL WITH A DISABILITY.—The term “individual with a disability” has the meaning given such term in section 382.3 of title 14, Code of Federal Regulations. (4) FOREIGN AIR CARRIER.—The term “foreign air carrier” has the meaning given such term in section 40102 of title 49, United States Code.; WAS AGREED TO BY VOICE VOTE.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Ryan (Ryan 017) (ANS 70); Strike section 829 and insert the following: SEC. ____ . CREW TRAINING. Section 44918(a) of title 49, United States Code, is amended— (1) in paragraph (1), by inserting “and unruly passenger behavior” before the period at the end; (2) in paragraph (2)— (A) by striking subparagraph (A) and inserting the following: “(A) Recognize suspicious behavior and activities and determine the seriousness of any occurrence.”; (B) in subparagraph (D), by inserting “, including training to defend against the use of edged or contact weapons” before the period at the end; (C) by striking subparagraph (H) and inserting the following: “(H) De-escalation training based on recommendations issued by the Air Carrier Training Aviation Rulemaking Committee.”; (D) by redesignating subparagraphs (I) and (J) as subparagraphs (J) and (K), respectively; and (E) by inserting after subparagraph (H) the following: “(I) Methods to subdue and restrain an active attacker.”; (3) by striking paragraph (4) and inserting the following: “(4) MINIMUM STANDARDS.—Not later than 180 days after the date of enactment of the FAA Reauthorization Act of 2023, the Administrator of the Transportation Security Administration, in consultation with the Federal Air Marshal Service and the Aviation Security Advisory Committee, shall establish minimum standards for— “(A) the training provided under this subsection and for recurrent training; and “(B) the individuals or entities providing such training.”; (4) in paragraph (6)— (A) in the first sentence—(i) by inserting “and the Federal Air

Marshal Service” after “consultation with the Administrator”; (ii) by striking “and periodically shall” and inserting “and shall periodically”; and (iii) by inserting “based on changes in the potential or actual threat conditions” before the period at the end; and (B) in the second sentence, by inserting “, including self-defense training expertise and experience” before the period at the end; and (5) by adding at the end the following: “(8) AIR CARRIER ACCOMMODATION.—An air carrier with a crew member participating in the training program under this subsection shall provide a process through which each such crew member may obtain reasonable accommodations.”; was NOT AGREED TO by voice vote.

En Bloc amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. LaMalfa 032 (LaMalfa 032) (ANS 71 En Bloc); At the end of title VIII, add the following: SEC. II. WILDFIRE SUPPRESSION. (a) IN GENERAL.—To ensure that sufficient firefighting resources are available to suppress wildfires and protect public safety and property, and notwithstanding any other provision of law or agency regulation, not later than 18 months after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall promulgate an interim final rule under which— (1) an operation described in section 21.25(b)(7) of title 14, Code of Federal Regulations, shall allow for the transport of firefighters to and from the site of a wildfire to perform ground wildfire suppression and designate the firefighters conducting such an operation as essential crewmembers on board a covered aircraft operated on a mission to suppress wildfire; (2) the aircraft maintenance, inspections, and pilot training requirements under part 135 of such title 14 may apply to such an operation, if determined by the Administrator to be necessary to maintain the safety of firefighters carrying out wildfire suppression missions; and (3) the noise standards described in part 36 of such title 14 shall not apply to such an operation. (b) SURPLUS MILITARY AIRCRAFT.—In promulgating any rule under subsection (a), the Administrator shall not enable any aircraft of a type that has been manufactured in accordance with the requirements of and accepted for use by, any branch of the United States Military and has been later modified to be used for wildfire suppression operations. (c) CONFORMING AMENDMENTS TO FAA DOCUMENTS.—In promulgating an interim final rule under subsection (a), the Administrator shall amend FAA Order 8110.56, Restricted Category Type Certification (dated February 27, 2006), as well as any corresponding policy or guidance material, to reflect the requirements of subsection (a). (d) SAVINGS PROVISION.—Nothing in this section shall be construed to limit the Administrator’s authority to take action otherwise authorized by law to protect aviation safety or passenger safety. (e) DEFINITIONS.—In this section: (1) COVERED AIRCRAFT.—The term “covered aircraft” means an aircraft type-certificated in the restricted category under section 21.25 of title 14, Code of Federal Regulations, used for transporting firefighters to and from the site of a wildfire in order to perform ground wildfire suppression for the purpose of extinguishing a wildfire on behalf of, or pursuant to a contract with, a Federal, State, or local government agency. (2) FIREFIGHTERS.—The term “firefighters” means a trained fire suppression professional the transport of whom is necessary to accomplish a wildfire suppression operation.

(LaMalfa 033) (ANS 71 En Bloc); At the end of title VIII, add the following: SEC. _____. BANNING MUNICIPAL AIRPORT. (a) FINDINGS.—Congress finds the following: (1) In 2016, the City of Banning commissioned an Airport Feasibility Study to analyze the future of the Banning Municipal Airport. The study found that— (A) the Banning Airport had a 71 percent reduction in traffic from 2010 to 2015, drastically reducing revenues and creating a financial burden for the city; (B) the Banning Municipal Airport lacks the needed infrastructure, amenities or superior location to successfully compete with other airports for more business; and (C) the hangars available at Banning Municipal Airport are lacking as compared to other nearby airports. (2) The closure of Banning Municipal Airport’s operations is supported by the community and the Banning City Council who voted in 2017 on a resolution “declaring that it shall be a goal of the city of Banning to close the Banning Municipal Airport as soon as legally permitted.”. (3) The closure of the airport would benefit the Morongo Band of Mission Indians by removing aviation easements on lands held in trust adjacent to the airport. (4) The repurposing of the land for industrial use such as distribution, logistics, e-commerce and light manufacturing will lead to job creation, sales tax and demand for housing. (b) IN GENERAL.—The United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of Banning, California, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the Banning Municipal Airport, as described in the most recent airport layout plan approved by the Federal Aviation Administration, to the extent such restrictions, conditions, and limitations are enforceable by the

Administrator. (c) CONDITIONS.—The release under subsection (b) shall not be executed before the City of Banning, California, or its designee, transfers to the Department of Transportation of the State of California— (1) the amounts described in subsection (d), to be used for FAA-approved capital improvements within the meaning of airport development (as defined in section 47102(3) of title 49, United States Code) at other public use, general aviation airports serving the region; and (2) for no consideration, all airport and aviation-related equipment of the Banning Municipal Airport owned by the City of Banning and determined by the FAA or Department of Transportation of the State of California to be salvageable for use at other airports. (d) AMOUNTS DESCRIBED.—The amounts described in this subsection are the following: (1) An amount equal to the fair market value for the highest and best use of the Banning Municipal Airport property determined in good faith by 2 independent and qualified real estate appraisers and an independent review appraiser on or after the date of the enactment of this Act. (2) An amount equal to the unamortized portion of any Federal development grants other than land paid to the City of Banning for use at the Banning Municipal Airport, which may be paid with, and shall be an allowable use of, airport revenue notwithstanding section 47107 or 47133 of title 49, United States Code. (3) An amount equal to the airport revenues, along with accrued interest, remaining in the airport account for the Banning Municipal Airport as of the date of the enactment of this Act and otherwise due to or received by the City of Banning after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code. (e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the applicability of— (1) the requirements and processes under section 46319 of title 49, United States Code; (2) the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); (3) the requirements and processes under part 157 of title 14, Code of Federal Regulations; or (4) the public notice requirements under section 47107(h)(2) of title 49, United States Code.;

(LaMalfa 034) (ANS 71 En Bloc); Page 342, line 23, insert “The Administrator may not determine extraordinary circumstances exist under this subsection with respect to projects otherwise covered by a categorical exclusion under subsections (a) or (b) involving repair, replacement, or maintenance of grounds, infrastructure, buildings, structures, or facilities which do not substantially change the existing footprint of the grounds, infrastructure, buildings, structures, or facilities.” after “such action.”; WAS WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Yakym (Yakym 025) (ANS 72); Page 520, line 20, strike “proposed requirements” and insert “proposed risk-based requirements that align with the risk recommendations described in Recommendation AG 2.1 of the UAS Beyond Visual Line of Sight ARC Final Report published by the Federal Aviation Administration or other proposed requirements”. Page 529, line 2, insert “, as described in Recommendations AS 2.1 and 2.9 final report of the UAS Beyond Visual Line of Sight Aviation Rulemaking Committee, which require a manufacturer’s declaration of compliance to a Federal Aviation Administration accepted means of compliance and which shall not require type or production certification or the issuance of a special airworthiness certificate” after “aircraft”. Page 529, line 6, insert “as described in Recommendation OQ 2.2 of the UAS Beyond Visual Line of Sight Aviation Rulemaking Committee” after “aircraft”; was WITHDRAWN.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Massie (Massie 028) (ANS 73); At the end of subtitle B of title IV, add the following: SEC. ____.
ELIMINATION OF PASSENGER FACILITY CHARGE CAPS. Section 40117(b) of title 49, United States Code, is amended— (1) in paragraph (1) by striking “of \$1, \$2, or \$3” and inserting “in any amount”; (2) by striking paragraph (4); (3) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively; (4) in paragraph (5) (as so redesignated)— (A) by striking “specified in paragraphs (1) and (4)” and inserting “specified in paragraph (1)”; and (B) by striking “imposed under paragraph (1) or (4)” and inserting “imposed under paragraph (1)”; and (5) in paragraph (6)(A) (as so redesignated)— (A) by striking “specified in paragraphs (1), (4), and (6)” and inserting “specified in paragraphs (1) and (5)”; and (B) by striking “imposed under paragraph (1) or (4)” and inserting “imposed under paragraph (1)”; and (6) by adding at the end the following: “(7) ELIGIBILITY FOR AIRPORT IMPROVEMENT PROGRAM FUNDS.—Any eligible agency that imposes a passenger

facility charge that exceeds \$4.50 shall not be eligible to receive funds under subchapter I of chapter 471.’.’; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Westerman (Westerman 029) (ANS 74); Page 85, line 24, strike “the Civil Aviation Registry website” and insert “Federal Aviation Administration websites”. Page 85, line 25, strike “ICAO AIRCRAFT” and insert “MODE S”. Page 86, line 3, strike “ICAO” and insert “Mode S”. Page 86, line 7, strike “substantiate” and insert “attest to”. Page 86, Line 9, strike “ICAO” and insert “Mode S”. Page 86, line 16, strike “ICAO” and insert “Mode S”.Page 87, after line 5, insert the following: “(A) the names of the aircraft owner or operator; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Mast (Mast 056) (ANS 75); At the end of title VIII, add the following: SEC. ____ . COMPETITIVE ACCESS. (a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall take such actions to ensure that an airport submits to the Administrator a report in any case in which such airport is unable to accommodate a request by any entity providing ground transportation services to such airport that is seeking access to such airport in order to provide or expand such services. (b) CONTENTS.—The report required under subsection (a) shall include— (1) a summary of the request; (2) an explanation why the request was denied by the airport; and (3) a timeframe for when airport will be able to accommodate the request, if applicable.; was **NOT AGREED TO** by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Mast (Mast 059) (ANS 76); At the end of title VIII, add the following: SEC. II. ECONOMIC NON-DISCRIMINATION. (a) IN GENERAL.—Each entity that provides commercial ground transportation to users of an airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other such users providing such services (including entities controlled by the airport) making the same or similar physical use of such airport and using similar facilities. (b) ESSENTIAL NEXUS TO LEGITIMATE PUBLIC PURPOSE.—All rates, fees, rentals and other charges described in subsection (a) shall— (1) have an essential nexus to a legitimate public purpose; (2) be roughly proportionate to the impact the physical use has on airport facilities; and (3) be no greater than necessary to cover the costs of such impact of the physical use. (c) BURDEN OF PROOF.—An airport shall have the burden of proving the instituting rates, fees, rentals and other charges described under subsection (a). (d) NONDISCRIMINATORY AND SUBSTANTIALLY COMPARABLE RULES, REGULATIONS, AND CONDITIONS.— Each entity described in subsection (a) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, and conditions and provided equivalent access rights to the airport as are applicable or provided to all such other entities which make the same or similar physical use of such airport and use similar facilities. (e) REASONABLE CLASSIFICATIONS.—An airport shall be permitted to make reasonable classifications between entities described in subsection (a), except any classifications not rationally related to the safe operation of the airport, such as those classifications based on presumed benefits derived, degree of economic harm to the airport, or anti-competitive motives. (f) REASONABLE JUSTIFICATION.—Neither the rules, regulations and conditions applicable, or the access rights provided to, an entity described in subsection (a) shall prevent, restrict or distort such entity’s ability to compete with any other such entities, including those entities controlled by the airport, without a reasonable justification that benefits the public interest. (g) CLASSIFICATION.—Classification or status as a specific type of entity described in subsection (a) shall not be unreasonably withheld by any airport provided a commercial ground transportation user assumes obligations substantially similar to those already imposed on other such entities in such classification or status.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. Payne (Payne 042) (ANS 77); Page 712, after line 17, insert the following: (e) CONSULTATION.—The Administrator may only issue a waiver under this section for the operation of an aircraft in an area covered by a temporary flight restriction after consulting with Federal and local law enforcement officials to verify that such waiver would not risk the safety and security of the public located in the area where the temporary flight restriction is in place.; was **WITHDRAWN**.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. D’Esposito (D’Esposito 018) (ANS 78); At the end of title VIII, add the following: SEC.____. HOUSING OF UNDOCUMENTED MIGRANTS. The Administrator of the Federal Aviation Administration may not authorize airport space to house undocumented migrants.; was NOT AGREED TO by voice vote.

Amendment to the Amendment in the Nature of a Substitute to H.R. 3935 offered by Mr. García of Illinois (García of IL 031) (ANS 79); To require employers of airport service workers at small, medium, and large hub airports to ensure that airport service workers are paid the prevailing wage and provided fringe benefits, and for other purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE. This Act may be cited as the “Good Jobs for Good Airports Act”. SEC. 2. FINDINGS; PURPOSES. (a) FINDINGS.—Congress finds the following: (1) Safe and effective airport operations are essential to national commerce and the general welfare. (2) A well-trained, stable workforce at our Nation’s airports is critical to ensuring public safety and security, as well as the health and safety of the public and protection from infectious diseases. (3) The Federal Government has invested billions of dollars in creating and maintaining our Nation’s aviation infrastructure, reflecting the national interest in maintaining airports across the country. (4) Airport services are most effective when the workforce providing those services is able to earn a living wage and able to secure adequate health benefit coverage. In fact, meeting the growing challenges of operating airports securely and efficiently requires the recruitment and retention of excellent staff in all of the classifications of employees who work in airport services and operations. (5) Effective management of airports and effective airport security requires that workforce turnover be reduced and that the workforce be highly trained and highly motivated. (6) In connection with setting wage and benefit standards for those engaged in airport services, there is a need to establish an orderly system that reconciles competing interests without undue disruption. (b) PURPOSES.—The purposes of this Act are— (1) to provide a mechanism for ensuring minimum wage and benefits standards for individuals who work in airports; and (2) to serve the best interests of the people of the United States by stabilizing the workplace conditions of the labor pool that supports our Nation’s airport operations. SEC. 3. AMENDMENTS TO TITLE 49 OF THE UNITED STATES CODE TO ENSURE MINIMUM WAGE AND BENEFITS FOR COVERED SERVICE WORKERS. (a) COVERED SERVICE WORKER DEFINITION.—Section 40102(a) of title 49, United States Code, is amended by adding at the end the following: “(48) ‘covered service worker’— “(A) means an individual who furnishes services on the property or premises of a small hub airport, medium hub airport, or large hub airport, performing— “(i) functions that are related to the air transportation of persons, property, or mail, including— “(I) the loading or unloading of property on aircraft or a building or facility on the airport property; “(II) assistance to passengers, including assistance under part 382 of title 14, Code of Federal Regulations; “(III) security; “(IV) airport ticketing or check-in functions; “(V) ground-handling of aircraft or related equipment (but not including mechanical services, machinery maintenance, car service maintenance, services at maintenance-related stores, fueling, de-icing, or other mechanic related functions); “(VI) aircraft cleaning and sanitization functions or waste removal; “(VII) cleaning within an airport terminal or other building or facility on the airport property; “(VIII) transportation of employees or individuals within the airport property; or “(IX) ramp agent functions; “(ii) concession services on the property of an airport, including— “(I) food service, including food and beverage service, wait service, busing, cooks, or cashiers; “(II) retail service, including retail related to news or gifts or dutyfree retail services; “(III) cleaning for concession services; “(IV) security for concession services; or “(V) airport lounge services, including food, retail, cleaning, or security services for or at an airport lounge; “(iii) airline catering services (such as the preparation or assembly of food, beverages, provisions, or related supplies for delivery, and the delivery of such items, directly to aircraft or to a location on or near airport property for subsequent delivery to aircraft at the airport); or “(iv) food or beverage service, housekeeping, or hotel service at a hotel located on airport property; “(B) includes an individual without regard to any contractual relationship alleged to exist between the individual and a contractor or subcontractor; “(C) shall not include an individual to whom the exemption under section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)) applies; and “(D) shall not include an employee of— “(i) a State, municipality, or other political subdivision of a State or an authority created by an

agreement between 2 or more States; or “(ii) the Transportation Security Administration or a qualified private screening company performing security screening of passengers pursuant to a contract entered into with the Transportation Security Administration. “(49) ‘covered employer’ means any person engaged in commerce, or in any industry or activity affecting commerce, who employs 1 or more covered service workers.”. (b) AIR COMMERCE AND SAFETY.— (1) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by adding at the end the following new section: “§ 40131. Labor standards for certain airport service jobs. “(a) REQUIREMENT.—Any covered employer providing services at or for a small, medium, or large hub airport shall ensure that all covered service workers, including those subject to a collective bargaining agreement, employed by the covered employer at such airport are paid a wage and fringe benefits that are— “(1) with respect to such wage, not less than the higher of— “(A) \$15.00 per hour; “(B) the minimum hourly wage for the appropriate locality and classification as determined in accordance with chapter 67 of title 41, United States Code (commonly known as the ‘Service Contract Act’), by the Secretary of Labor under subsection (c)(1)(A), adjusted annually to reflect any changes made by such Secretary in such determinations; “(C) the minimum hourly wage required under any Federal regulation, policy, or directive issued by the President pursuant to subtitle I of title 40, United States Code, for workers employed in the performance of any Federal contract for the procurement of services; or “(D) the minimum hourly wage required under an applicable State or local minimum wage law (including a regulation) or policy, including the policy of a political subdivision of a State or an authority created by a compact between 2 or more States or 1 or more States and the District of Columbia, that applies to covered service workers; and “(2) with respect to such fringe benefits, not less than the greater of— “(A) the minimum fringe benefits for the appropriate locality and classification as determined in accordance with chapter 67 of title 41, United States Code (commonly known as the ‘Service Contract Act’), by the Secretary of Labor under subsection (c)(1)(A), adjusted annually to reflect any changes made by such Secretary in such determinations; or “(B) the minimum fringe benefits required under an applicable State or local law (including a regulation) or policy, including the policy of a political subdivision of a State or an authority created by a compact between 2 or more States or 1 or more States and the District of Columbia, that applies to covered service workers. “(b) CERTIFICATION REQUIREMENT FOR COVERED EMPLOYERS.— “(1) IN GENERAL.—A covered employer shall certify, under penalty of perjury, in a manner determined by the Secretary of Transportation, on a monthly basis that all covered service workers, including those subject to a collective bargaining agreement, employed by the covered employer are provided wage and fringe benefits that comply with the requirements described in paragraphs (1) and (2) of subsection (a). “(2) FAILURE TO SUBMIT CERTIFICATION.— The failure to submit a certification under paragraph (1) shall constitute a violation of this section. “(3) FALSE CERTIFICATION.—The submission of a false certification under paragraph (1) shall constitute a violation of this section. “(c) CLASSIFICATIONS AND WAGE DETERMINATIONS.— “(1) IN GENERAL.—The Secretary of Labor shall— “(A) not later than 120 days after the date of enactment of this section and in accordance with paragraph (2), issue a wage determination with minimum hourly wage and fringe benefits in accordance with the methodology used by the Secretary of Labor under chapter 67 of title 41, United States Code (commonly known as the ‘Service Contract Act’), appropriate for each class of covered service worker for purposes of paragraphs (1)(B) and (2)(A) of subsection (a); and “(B) not later than 120 days after the date of enactment of this section and annually thereafter, provide to the Secretary of Transportation the applicable minimum hourly wage and fringe benefits required for purposes of subsection (a) with respect to each such class of covered service worker. “(2) NEW OCCUPATIONAL CATEGORIES.—In issuing the wage determinations under paragraph (1)(A), the Secretary of Labor— “(A) shall ensure that each class of covered service worker is classified appropriately in a category of occupation of a type covered under chapter 67 of title 41, United States Code; and “(B) to the extent needed to carry out subparagraph (A), may establish 1 or more new categories of occupation of a type covered under chapter 67 of title 41, United States Code, to ensure that all classes of covered service workers have an appropriate determination of minimum hourly wage and fringe benefits. “(d) RULEMAKING AUTHORITY.—The Secretary of Labor and the Secretary of Transportation may prescribe regulations to implement this section, provided that such regulations prescribed by the Secretary of Transportation shall be consistent with such regulations prescribed by the Secretary of Labor. “(e) ENFORCEMENT.— “(1) WAGE AND BENEFIT ENFORCEMENT.— The Secretary of Labor shall have the authority to enforce the wage and fringe benefit requirements for covered service workers described in paragraphs (1) and (2) of subsection (a), including the authority to issue orders, conduct investigations, examine the records of covered employers, hold hearings, make decisions based on findings of fact, and take other appropriate action pursuant to the

authority of the Secretary of Labor under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

“(2) CERTIFICATION ENFORCEMENT.—“(A) IN GENERAL.—The Secretary of Transportation shall have the authority to enforce the certification requirement described in subsection (b), including the authority to issue orders, conduct investigations, examine the records of covered employers, hold hearings, make decisions based on findings of fact, and take other appropriate action pursuant to the 15 Secretary of Transportation’s authority. “(B) CONSIDERATIONS.—In determining whether a covered employer submitted a false certification under subsection (b), the Secretary of Transportation shall consider as evidence any findings of fact made by the Secretary of Labor regarding a covered employer’s failure to comply with the wage and fringe benefit requirements described in paragraphs (1) and (2) of subsection (a). “(f) NON-PREEMPTION OF STATE OR LOCAL LAWS.—Nothing in this section shall preempt any State or local law (including a regulation) or policy that requires a higher minimum wage or otherwise requires greater benefits or protections for covered service workers than the requirements of this section. “(g) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of the Good Jobs for Good Airports Act, and annually thereafter, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on their efforts to implement such Act, as well as an assessment of the efforts of covered employers to come into compliance with the requirements of such Act. “(h) PUBLICATION OF DATA.—The Secretary of Transportation shall publish complaint data relating to covered service workers in a manner comparable to other aviation consumer complaint data.”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 401 of title 49, United States Code, is amended by inserting after the item relating to section 40130 the following: “40131. Labor standards for certain airport service jobs.”.

(c) PENALTIES.—Section 46301 of title 49, United States Code, is amended— (1) in subsection (a), by adding at the end the following new paragraph: “(8) PENALTIES RELATING TO LABOR STANDARDS FOR CERTAIN AIRPORT SERVICE JOBS. Notwithstanding paragraph (1), the maximum civil penalty for a violation of section 40131 shall be an amount not to exceed 3 times the amount of a civil penalty as described in paragraph (1).”; and (2) in subsection (c)(1)(A), by striking “or section 44909 of this title” and inserting “section 44909, or section 40131 of this title.”.

(d) INVESTIGATIONS AND PROCEEDINGS.— (1) IN GENERAL.— Chapter 461 of title 49, United States Code, is amended by adding at the end the following new section: “§ 46112. Enforcement of labor standards for certain airport service jobs by interested persons “An interested person may bring a civil action in a district court of the United States against a person to enforce section 40131. The action may be brought in the judicial district in which the defendant does business or the violation occurred.”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 461 of title 49, United States Code, is amended by inserting after the item relating to section 46111 the following: “46112. Enforcement of labor standards for certain airport service jobs by interested persons.”.

SEC. 4. MINIMUM WAGE AND FRINGE BENEFITS FOR COVERED SERVICE WORKERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938. Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following: “(h) COVERED SERVICE WORKERS PERFORMING SERVICES FOR SMALL, MEDIUM, AND LARGE HUB AIRPORTS.—“(1) IN GENERAL.—In lieu of the rate prescribed by subsection (a)(1), an employer shall pay each employee employed as a covered service worker (as defined in section 40102(a) of title 49, United States Code), providing services at or for a small hub airport, medium hub airport, or large hub airport (as those terms are defined in such section), who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in an enterprise engaged in commerce or in the production of goods for commerce, a minimum wage and fringe benefits as provided under section 40131(a) of title 49, United States Code. “(2) ADMINISTRATION AND ENFORCEMENT OF FRINGE BENEFITS.—For purposes of administration and enforcement of any unpaid fringe benefits required under paragraph (1), the fair market value amount of any such fringe benefits shall be deemed unpaid minimum wages under this Act.”.; was WITHDRAWN.

A unanimous consent request by Mr. Graves of Missouri that H.R. 3935, as amended, will be reported as a single Amendment in the Nature of a Substitute incorporating any amendments adopted, was NOT OBJECTED TO.

A unanimous consent request by Mr. Graves of Missouri that staff be authorized to make all necessary technical, clarifying, and conforming changes to H.R. 3935, as amended, was NOT OBJECTED TO.

A motion by Mr. Graves of Missouri that, pursuant to Rule XXII, clause 1, the Committee authorizes the Chairman, or designee, to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 3935, as amended, was NOT OBJECTED TO.

Pursuant to Rule XI clause 2(1), of the Rules of the House of Representative, the Chairman notes that Members may have two calendar days in which to file any supplemental, minority, additional, or dissenting views on H.R. 3935, as amended.

A unanimous consent request by Mr. Graves of Missouri that, the Chairman, after consultation with the Ranking Member, has authority to strike or revise any provision of the bills ordered reported today that would cause a sequential referral to another committee, or that would cause the bills to concurrent resolutions to be subject to a Budget Act or a Rule 21 CUTGO point of order, was NOT OBJECTED TO.

Pursuant to Rule 6 of the Rules of the Committee on Transportation and Infrastructure, the Chairman noted the presence of a quorum for actions taken on all Committee business today.

