

FAA Reauthorization Bill 2024

- AICA and its [70+ grassroots groups](#) nationwide engaged with Congressional representatives on the FAA Reauthorization Act of 2024, and we thank the Congressional members who met with advocates and took actions to introduce bills or make amendments.
- The Communities' concerns include:
 - the accurate representation of aviation impacts on their lived experience.
 - addressing those impacts.
 - adequate inclusion of impacted Communities as key stakeholders.
- AICA is providing our perspective on provisions of particular interest to the community. It is important to look beyond the provision titles and short descriptions which can be misleading.
- Overall, AICA is dissatisfied with the legislation. It vastly overweighs the interests of the aviation industry at the expense of communities harmfully impacted by aviation and lacks substantive actions to reduce impacts.
- One provision is promising and explicitly includes impacted communities as stakeholders. A few provisions are in the right direction with modified and/or compromised advocate supported bill language in the provisions.
- For a handful of the provisions the details remain open for interpretation which will be determined (or highly influenced) by the FAA; AICA is calling for FAA to use its interpretation to adequately address the concerns of and/or include directly impacted communities in these provisions given it will make the difference between being a positive or negative outcome for communities. These are highlighted in yellow.

May 24, 2024

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FAA Reauthorization Bill 2024 – Community Perspective

SEC.	Title	Description	Concerns/Comments
603	NEXTGEN ACCOUNTABILITY REVIEW.	National Academy of Public Administration (NAPA) to assess the FAA's performance in delivering and implementing operation benefits of NextGen including publicly displayed information on a website quarterly.	<ul style="list-style-type: none"> • Good to have FAA accountability with caveats. • Will NAPA assessment ≥ DOT audits: accurate, validation, complete, and transparent? • DOT Office of Inspector General* - FAA estimated annual benefits of \$31.1 million, which is \$30.5 million (49.5 percent) less than the minimum amount initially expected. • NextGen benefits as stated by FAA are 57% or \$6.2 Billion from “Passenger Travel Time Savings” covering 2010 through 2023. What and how is the time savings attributed to NextGen versus other origins? Airlines have not confirmed their fuel savings.
770	GRANT ASSURANCES.	Cannot restrict the sale of leaded avgas if such gasoline was available during 2022 until either Dec. 31, 2030, or the date an airport makes available an unleaded avgas that has received FAA approval & meets either an industry consensus or other safety standard as determined by the Administrator.	<ul style="list-style-type: none"> • Better than the original House language but still problematic. • \$5K/day penalty if conditions are not met to restrict selling 100LL until 2030. • Given G100UL is approved by FAA it meets the two conditions for available unleaded aviation gasoline. • Airports restricting leaded avgas before 2022 are grandfathered.
786	PART 150 NOISE STANDARDS UPDATE.	Review and revise part 150 to reflect all relevant laws and regulations including part 161. Clarify existing and future noise policies and standards and FAA required to seek feedback.	<ul style="list-style-type: none"> • “Feed-back from individuals living in the vicinity of airports and in airport adjacent communities.” The Administrator can interpret community inclusion and therefore would include impacted NextGen communities. • FAA’s Noise Policy Review included and asked about communities living in all locations: concerns, metrics to address concerns, etc.
787	REDUCING COMMUNITY AIRCRAFT NOISE EXPOSURE.	Requires FAA to take certain actions to reduce undesirable aircraft noise when implementing or revising a flight procedure, including implementing flight procedures that mitigate the impact of aircraft noise.	<ul style="list-style-type: none"> • Problematic loopholes: 1) Such actions do no negatively affect aviation efficiency and 2) based on a consensus community recommendation. • These loopholes were not required for NextGen rollouts. • The FAA has made changes to reduce noise impacts that resulted in further miles flown so the FAA’s discretion leaves the door somewhat open.
788	CATEGORICAL EXCLUSIONS.	New categories for NEPA categorical exclusions for Airport projects: 1) receiving less than \$6M Federal Funding and 2) rebuilding because of a declared disaster or emergency.	<ul style="list-style-type: none"> • Exempts qualifying projects from full environmental reviews based on FAA funding level. • Problem: could still have major environmental impacts and no environmental review is needed. FAA has a caveat of unless “extraordinary circumstances”, but this is ambiguous. • Problem: a potential loophole is if an airport receives multiple grants that are part of a larger infrastructure project, and each grant is smaller than \$6M, then no review.

*DOT Office of Inspector General, https://www.oig.dot.gov/sites/default/files/FAA%20Metroplex%20Program%20Final%20Report%5E08-27-19_0.pdf

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FAA Reauthorization Bill 2024 – Community Perspective, Cont.

SEC.	Title	Description	Concerns/Comments
791	UFP STUDY.	National Academies consensus report on effect of airborne ultrafine particles on human health.	<ul style="list-style-type: none"> National Academies (NA) provides a consensus report of existing research, not original research from an institution of higher education on ultrafine particles (UFP) as described in Rep. Smith (D-WA) H.R. 1049. Sec.791. is a modification of H.R. 1049. Admin. should reasonably specify Medical Division within NA to lead as experts on health. A NA consensus report does not replace original research on UFP that is needed; a NA consensus report should come after the original research on UFP, and both should address existing disparities and negative health outcomes.
792	AVIATION NOISE ADVISORY COMMITTEE.	Establish an advisory committee to advise the FAA on issues facing the aviation community that are related to aircraft noise exposure and existing FAA noise policies and regulations.	<ul style="list-style-type: none"> Membership is heavily weighted in favor of industry (5 of 8 members), researcher (1 member), and “airport-adjacent communities” (2 members). The Administrator has discretion on membership and should include directly and substantially affected community representatives, including NextGen impacted and health expertise. Modifies and reduces the intent of Rep. Lynch’s (D-MA) H.R. 2565 which specified a majority representation from directly impacted communities. Sec.792. Committee members are already well represented on the typical and weighted pro-aviation FAA committees such as the NextGen Advisory Committee (NAC) and the Research, Engineering and Development Advisory Committee (REDAC).
793	COMMUNITY COLLABORATION PROGRAM.	Continues existing community engagement activities under this program designation. Facilitate and harmonize polices and procedures pertaining to community engagement by FAA offices. Scope includes implementation of recommendations from GAO “Aircraft Noise” report 2021, noise and environmental policy, NextGen, integration of new and emerging entrants, coordinating with Ombudsman, and responsiveness of FAA’s noise complaint process.	<ul style="list-style-type: none"> Has promise. The litmus test for FAA is whether they adequately include directly and substantially affected community representatives including those impacted by NextGen and General Aviation and having health expertise. Rep. Eshoo (D-CA), Rep. Lynch (D-MA), and Rep. Neguse (D-CO) contributed to the inclusion of communities. Except for the FAA and AICA Panel Discussion webinar July 2023 on the Noise Policy Review, the FAA has not adequately included directly impacted communities as key stakeholders.
795	MECHANISMS TO REDUCE HELICOPTER NOISE	GAO study on ways that state and local governments can mitigate commercial helicopter noise. Considerations of varying degrees of operations in different communities and actions taken and the success of such actions.	<ul style="list-style-type: none"> May provide useful information for communities impacted by rotorcraft and GAO has a strong track record of interviewing directly impacted grassroots communities. Should confirm the limitations of state and local governments to mitigate helicopter noise and identify any successful actions. Then, next steps and recommendations can be undertaken.

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SEC.	Title	Description	Concerns/Comments
803	DATA PRIVACY	Private aircraft owners/operators can withhold registration numbers or other similar identifying data for their aircraft from public dissemination or display for non-commercial flights.	<ul style="list-style-type: none"> Just as there is no right to privacy when driving a vehicle on public roads, there should be no right to privacy for aircraft flying in public airspace. Unfortunately, there are cases of private aircraft flying at unsafe low altitudes or needlessly and closely overflying houses and other noise sensitive locations and the pilots will not be identifiable. For example, an FAA employee overflew an advocate's home repeatedly and was identified. Although this was not illegal, it was unprofessional. GA airports usually have less security than commercial airports so this in combination with not identifying registration numbers of aircraft could be problematic.
827	EAGLE INITIATIVE.	Requires FAA to continue to partner with industry and Federal stakeholders to Eliminate Aviation Gasoline Lead and Emissions Initiative (EAGLE) through end of 2030.	<ul style="list-style-type: none"> There is no longer a need for EAGLE to continue and receive funding. A fleet wide fuel is now available with GL100UL.
829	PROHIBITION ON USING ADS-B OUT DATA TO INITIATE AN INVESTIGATION	Prohibits FAA from initiating an investigation (excluding a criminal investigation) of a person based exclusively on ADS-B out data.	<ul style="list-style-type: none"> ADS-B is a useful tool to identify unsafe operations. Today the FAA requests data (n#, altitude, etc.) from the public when investigating an incident which ADS-B provides.
915	TERMINATION OF ADVANCED AVIATION ADVISORY COMMITTEE	The Secretary may not renew the charter of the Advanced Aviation Advisory Committee (chartered by Secretary on June 10, 2022).	<ul style="list-style-type: none"> The Advanced Aviation Advisory Committee does not have directly impacted communities as members (not funded by industry or financially benefit from AAM).
916	UNMANNED AND AUTONOMOUS FLIGHT ADVISORY COMMITTEE	FAA to establish the advisory committee regarding technical challenges to the certification and operational standards of highly automated aircraft. Annual report required.	<ul style="list-style-type: none"> Composition requires one member from "Community Advocates". Request a directly impacted community representative as a member who is not funded by industry or financially benefits from unmanned and autonomous flight operations.
917	NEXTGEN ADVISORY COMMITTEE MEMBERSHIP EXPANSION	Expands membership of NextGen Advisory Committee (NAC) to include one rep from the unmanned aircraft system industry and one rep from the power-lift industry.	<ul style="list-style-type: none"> NAC continues to have inadequate representation of directly impacted communities.

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SEC.	Title	Description	Concerns/Comments
953, 955, 957, 960, 1012	ADVANCED AIR MOBILITY.	Sec.953. DOT to work with Council on Envir. Quality to develop new CATEXs under NEPA for airport vertiport projects. Sec.955. Finalize proposed rule for pilot certification for operation of power-lift aircraft and include content to facilitate qualification of pilots. Sec.957. Revise ATC policies to allow power-lift aircraft to use existing air traffic procedures and develop necessary airport, heliport, and vertiport procedures. Sec.960. Extends pilot program granting up to \$12.5M/year to airports to develop AAM vertiports and infrastructure and expands what is eligible for funds. Sec.1012. A GAO study to assess the safe/scalable operation and integration of electric aircraft into the national airspace.	<ul style="list-style-type: none"> • No clear emphasis or adequate representation regarding environmental impacts to communities. • Sec.1012. GAO study could consider environmental impacts to communities; GAO has a strong track record of interviewing directly impacted grassroots communities for their studies.
1009, 1010, 1011, 1025	HIGH-SPEED AIRCRAFT	Sec.1009. FAA to establish procedures for testing and demonstration, then issuing flight procedures for supersonic flights within 1 year and hypersonic flights within 2 years. Sec.1010. FAA to conduct a study for the operation and integration of high-speed aircraft into the national airspace. Sec.1011. FAA to conduct research to identify the minimum altitude above the upper boundary of Class A airspace at or above high-speed flights operating above Mach1 that do not produce appreciable sonic boom overpressures to reach the surface under atmospheric conditions. Sec.1025. FAA with NASA and industry to identify plans to build upon existing research and development and identify additional research needed for the certification and operation of supersonic aircraft and supersonic overland flight.	<ul style="list-style-type: none"> • No clear emphasis or adequate representation regarding environmental impacts to communities.