



COMMITTEE ON
**TRANSPORTATION
& INFRASTRUCTURE**

SAM GRAVES, CHAIRMAN
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**ANS to H.R. 7613, the *Airspace Location and Enhanced Risk Transparency Act of 2026* or *ALERT Act*
Section-by-Section**

Sec. 1. Short Title; Table of Contents.

This section states that the bill may be cited as the *Airspace Location and Enhanced Risk Transparency Act of 2026* or *ALERT Act* and provides for the table of contents.

Sec. 2. Definitions.

This section provides global definitions for the terms “Administrator,” “Appropriate Committees of Congress,” “FAA,” “Secretary,” “ADS-B In,” and “collision prevention technology.” These definitions apply throughout the legislation.

Sec. 3. Sense of Congress.

This section states that it is the Sense of Congress that: (1) Congress mourns the lives of the 67 souls taken in the midair collision near Ronald Reagan Washinton National Airport on January 29, 2025, and extends its deepest condolences to the families, friends, and communities of the who perished; (2) Congress honors the lives of the four crew members of American Airlines Flight 5342; (3) Congress honors the lives of the three United States Army soldiers aboard Priority Air Transport 25 (PAT25); (4) Congress honors the passengers of Flight 5342; (5) Congress commends the first responders who worked with valor and dedication; (6) Congress affirms its support for the National Transportation Safety Board (NTSB) and in this act responds to all 50 recommendations; (7) Congress commits to conducting rigorous oversight to ensure accountability; and (8) Congress pledges that the lives lost on January 29, 2025, will not be forgotten, their memory will be honored by this Nation’s commitment to aviation safety.

Title I - Civil Aviation Matters

Sec. 101. Airborne Collision Avoidance System Xa Inhibit Altitude.

This section requires the Administrator to complete, within 180 days, an evaluation of the hazards and safety benefits of changing the traffic advisory (TA) and resolution advisory (RA)

inhibit altitudes in the Airborne Collision Avoidance System Xa (ACAS Xa) to improve alerting throughout the flight maneuvering envelope of an aircraft. In conducting the evaluation, the Administrator shall consider (1) public safety benefits; (2) benefits and risk to the ability of pilots and air traffic controllers to ensure operational safety; (3) false, misleading, or potential overlapping alerts or resolution advisories; (4) advances in software logic to minimize nuisance and false alerts; (5) air traffic control procedures and the impacts to pilots and air traffic controllers during critical phases of flight, (6) pilot and air traffic controller training requirements; (7) human factors; and (8) research and simulations of reduced RA inhibit altitudes conducted by the National Transportation Safety Board (NTSB).

Sec. 102. Airborne Collision Avoidance System Upgrades.

This section requires the Administrator to issue a final rule to require aircraft that are currently required to be equipped with traffic alert and collision avoidance systems (TCAS) under part 121.356, part 135.180, and part 91.1045 of title 14, Code of Federal Regulations, respectively, to be upgraded to and operating with Airborne Collision Avoidance System Xa (ACAS Xa). Moreover, the system must be integrated and use both ADS-B In and transponder interrogations. Additionally, ACAS Xa must be configured to provide visual and audible alerting to the pilot and flight crew.

To do so, the Administrator must establish an aviation rulemaking committee (ARC) within 45 days of enactment to review and develop findings and recommendations. The ARC shall consider: (1) the anticipated certification timeline of ACAS Xa given the technical complexity and requisite procedures for approval; (2) the feasibility of using the Line Replaceable Units of existing collision avoidance systems in such aircraft; (3) the feasibility of using existing antennas of existing collision avoidance systems in such aircraft; (4) the commercial availability of all necessary components associated with integrated ACAS Xa; (5) actions the Administrator can take to prioritize the certification and installment of integrated ACAS Xa; and (6) related changes that may be required for the operating rules and training necessary for air traffic control, pilots and others; and (7) harmonization of global standards associated with collision avoidance systems. The ARC is directed to complete its work within a year of its formation and submit to the Administrator and the appropriate committees of Congress a report on the findings and recommendations developed by the ARC.

To ensure continued movement, the Administrator shall, within 18 months of receiving the report or 32 months after the date of enactment, whichever is sooner, issue a notice of proposed rulemaking (NPRM) to prohibit persons from operating selected aircraft unless such aircraft are equipped and operating with ACAS Xa in accordance with the above requirements. The NPRM shall include appropriate guidance for the certification of ACAS Xa and deadlines, not to exceed December 31, 2031, for newly manufactured and existing selected aircraft to be equipped and operating with ACAS Xa. If the new minimum operating performance standards require an upgrade of software, hardware, or additional training, a deadline for selected aircraft to be

upgraded, shall not exceed December 31, 2033. Additionally, the Administrator shall establish a process by which they may extend the deadlines specified, for a period not to exceed two years. If the Administrator exercises the extension authority, Congress must be provided with a report with the justification for the extension and assurances that safety will not be compromised by the extension. Furthermore, not later than 30 days after issuing a final rule, the Administrator shall work with the appropriate standards setting organization to update the minimum operational standards for ACAS Xa to: (1) safely decrease the inhibit altitude if the evaluation conducted pursuant to section 101 determines it can be done safely; (2) update traffic advisory aural alert standards to include clock position, relative altitude, range and vertical tendency; and (3) integrate directional traffic symbols into visual displays.

Lastly, the Administrator shall provide technical assistance facilitating equipage across the entire fleet of affected aircraft to provide support for affected aircraft operators in complying with the requirements of this section.

Sec. 103. Airborne Collision Avoidance Systems for Rotorcraft.

This section requires the Administrator to issue a final rule to require selected rotorcraft and powered-lift aircraft (non-military rotorcraft and civil powered-lift aircraft operating in Class B airspace) be equipped and operating with the collision avoidance system known as “Airborne Collision Avoidance System Xr” (ACAS Xr) that uses both ADS-B In and transponder interrogations.

To do so, the Administrator is required, by December 31, 2026, to take necessary action to work with the appropriate standards setting organization to finalize and publish minimum operational performance standards for ACAS Xr.

Then, not later than 30 days, or not later than January 31, 2027, whichever occurs earlier, after the minimum operational performance standards are published, the Administrator is required to establish an ARC to review the minimum operational performance standards and develop findings and recommendations to require selected rotorcraft and powered-lift aircraft (civil rotorcraft and powered-lift operating in Class B airspace) be equipped and operating with ACAS -Xr. As part of its work, the ARC is directed to consider: (1) any modifications that may need to be made to the minimum operational performance standards to carry out the requirements of this section; (2) an anticipated certification timeline for ACAS Xr; (3) a projected deadline for equipping newly manufactured selected rotorcraft and selected powered-lift aircraft with ACAS Xr, that considers the safety benefits, anticipated timeline for FAA to approve installations, and commercial availability of components; (4) a projected deadline to retrofit selected rotorcraft and selected powered-lift aircraft with ACAS Xr; (5) actions that the Administrator can take to prioritize the certification and installation of ACAS Xr; (6) the interaction of ACAS Xr with existing collision prevention technologies; (7) the efficacy of ACAS Xr in low-altitude and high-density airspace; (8) any available data assessing the effectiveness of ACAS Xr in reducing midair collision risk; (9) related training for air traffic controllers, pilots, and others; and (10)

NTSB report AIR-26-02. Furthermore, the ARC is directed to complete its work within a year of its formation and submit to the Administrator and the appropriate committees of Congress a report on the findings and recommendations developed by the ARC.

To ensure continued movement, within 18 months of receiving the report, or 24 month after enactment, whichever is sooner, the Administrator shall: (1) issue an NPRM to prohibit persons from operating selected rotorcraft and selected powered-lift aircraft, unless such rotorcraft or powered-lift aircraft are equipped and operating with ACAS Xr; and (2) take the necessary actions to modify the minimum operational performance standards for ACAS Xr to update traffic advisory aural alert standards (including clock position, relative altitude, range, and vertical tendency) and integrate directional traffic symbols into visual displays. The NPRM shall include (1) appropriate guidance for the certification of ACAS Xr systems; (2) defined standards for the modification of ACAS Xr to support the modifications listed above; (3) a deadline for any newly manufactured selected rotorcraft and powered-lift aircraft to be equipped with ACAS Xr; (4) a deadline for selected rotorcraft and powered-lift aircraft to be retrofitted with ACAS Xr; and (5) a deadline for selected rotorcraft and selected powered-lift aircraft to be equipped with collision prevention technology pursuant to section 104, not to exceed December 31, 2031.

Finally, this section directs the Administrator to issue a final rule carrying out the requirements of this section no later than 18 months after the issuance of the NPRM.

In executing these requirements, the Administrator shall provide technical assistance to facilitate equipping across the entire fleet of selected rotorcraft and selected powered-lift aircraft and to provide support for such aircraft operators in complying with the requirements of this section.

Sec. 104. Collision Prevention Systems.

This section requires the Administrator issue a final rule within two years of enactment, with an effective date not later than December 31, 2031, to require covered aircraft be equipped and operating with “collision prevention technology.” In this bill, “collision prevention technology” is equipment, or a combination of equipment that has ADS-B In; uses ADS-B In to provide the pilot with situational awareness of the location of other aircraft and traffic advisories; and provides, and is configured to provide, alerting that is audible to the pilot and flight crew. Simultaneously, the scope of “covered aircraft,” extends to any civil aircraft that is required to be have ADS-B out (pursuant to section 91.225 of title 14, Code of Federal Regulations), with an exception for aircraft that have a limited category special airworthiness or an experimental airworthiness certificate and would not apply to selected aircraft described in section 102.

In developing the final rule, the Administrator shall consider (1) the safety benefits of collision prevention technologies; (2) relevant regulations, guidance, and policies for traffic awareness and traffic advisory technology that utilizes ADS-B In; (3) ways in which ADS-B In software applications can be used as of the date of enactment of this Act; (4) available and projected software that can predict aircraft movements, display surrounding traffic, and provide visual and

audible traffic advisories; (5) the margin of error and accuracy of such technologies; (6) the safety benefits of software in preventing conflicts with both aircraft and ground vehicles on airport surfaces; (7) the safety benefits of the software in informing pilots or flight crews to operational risks, such as encounters with forecasted severe weather, using flight information services-broadcast (FIS-B); (8) the Administrator's efforts to modernize the air traffic control system, including timelines, technologies being incorporated, changes to operational rules, and training requirements; (9) the role of air traffic controllers in ensuring aircraft separation including the need for additional training to air traffic controllers; (10) the necessity of certification for implementing collision prevention technology based on type of aircraft and operation; (11) the capacity of the aerospace supply chain to manufacture necessary equipment; (12) the use of existing air traffic control deviation authorization tools; (13) the requirements of this final rule; and (14) the results, if available at the time of consideration, of the studies on ADS-B Out equipage and development of low-cost voluntary ADS-B as required by sections 808 and 810 of the *FAA Reauthorization Act of 2024* (P.L. 118-63).

The final rule shall: (1) establish performance requirements for equipping collision prevention technology appropriate for the covered aircraft and the operations; (2) have performance requirements that require the technology to be configured to provide visual and audible alerting to the pilot and flight crew, consider the field of view of the pilots to ensure the technology can be readily utilized and has minimal risk of unexpected detachment, consider the reliability and resiliency of alerts in environments where inputs or signals can be jammed or spoofed, and consider the utilization of existing antenna locations or the placement of a new antenna used to receive and transmit data; (3) identify existing or issue additional relevant guidance or technical standards orders to carry out the requirements of this section; and (4) establish an effective date of no later than December 31, 2031, that reflects various aircraft types, appropriate maintenance cycles, and required updates to appropriate guidance for such technology after certification. In issuing the final rule, the Administrator shall allow for the use of any collision prevention technology (including technology that uses portable ADS-B In receivers or other equipment that displays on an existing or future portable device, electronic flight bag, or panel mounted display) available for use at the time of the effective date (established in this section) if the Administrator determines it provides an equivalent level of safety.

Furthermore, the Administrator shall provide technical assistance to facilitate equipage in complying with the requirements of this section.

Sec. 105. Prohibition on Certain Use of ADS-B Data.

This section prohibits the use of ADS-B data to identify an aircraft for the purpose of obtaining revenue from the aircraft owner or operator without prior consent. This section affirms air traffic controllers may use ADS-B data for the purposes of tracking aircraft, improving safety, and efficiency.

Further, this section extends to other Federal, state, local, territorial, or Tribal official the existing prohibition on the FAA from initiating (excluding criminal investigations) based exclusively on ADS-B data.

Sec. 106. Rulemaking Accountability.

This section requires the Secretary to establish, on a publicly available website, a dashboard that displays the progress of the rulemakings required by sections 102, 103, and 104.

Further, this section requires the FAA to brief Congress and families of the victims of the January 29, 2025, midair collision near Washington Ronald Reagan National Airport every 180 days until final rules are published pursuant to sections 102, 103, and 104. For any rulemaking deadlines established in sections 102, 103, and 104 missed by the FAA, the Administrator shall brief Congress in-person within four weeks.

Sec. 107. Time-On-Position Limits.

This section directs the Administrator, in coordination with the air traffic controllers' union, to establish time-on-position limits for air traffic control (ATC) operations supervisory personnel. In establishing such limits, the Administrator shall (1) evaluate the time-on-position limits for operations supervisory personnel, prioritizing the evaluation of such limits at Ronald Reagan Washington National Airport and other air traffic facilities with high volumes of mixed rotorcraft and airplane traffic; (2) establish such limits for Air Traffic Organization operations supervisory personnel at Ronald Reagan Washington National Airport and other air traffic facilities with high volumes of mixed helicopter and airplane traffic; (3) develop guidance for district and facility level management to adapt such limitations to account for their own staffing and local standard operating procedures; (4) consider the operational needs and staffing levels of the air traffic facilities described in the previous subparagraphs to ensure effective oversight and monitoring of safety critical operations; (5) consider air traffic control specialists performing watch supervision in the controller-in-charge position; (6) consider existing FAA orders; and (7) consider data, reports, and best practices pertaining to human factors.

Sec. 108. Controller Threat and Error Management Training.

This section requires the Administrator, no later than nine months after enactment, in coordination with the air traffic controllers' union, to develop and implement initial, recurrent, and refresher training for air traffic controllers on threat and error management that is instructor-led and scenario-based. The Administrator shall consult with air traffic controllers, managers, and operations supervisors; aviation safety experts with knowledge of human factors; and a career representative from NTSB with subject matter expertise.

This section requires the Administrator to consider: (1) the findings of the NTSB; (2) existing FAA orders; (3) whether the frequency of training should be increased for air traffic controllers in high-volume or high-complexity air traffic control facilities; (4) data and reports on human

factors and threat and error management best practices; (5) the appropriate use of tower simulator systems and other advanced training technologies to supplement controller training; (6) the use of data analytics to identify systemic gaps in controller training; (7) data gathered from aviation safety reporting programs; and (8) any other factor determined appropriate by the Administrator.

No later than 90 days after development of the training program, the FAA shall revise associated orders, policies, and guidance documents and brief Congress on the implementation of such training requirements and potential recommendations for improvements.

Sec. 109. Controller Visual Separation Training.

This section requires the Administrator, no later than 270 days after enactment, in coordination with the air traffic controllers' union, to develop and implement initial, recurrent, and refresher training for air traffic controllers on tower-applied and pilot-applied visual separation procedures that are instructor-led and scenario-based. The Administrator shall consult with representatives of air traffic controllers, managers, and operations supervisors; general aviation pilots; and aviation safety experts with knowledge of human factors.

In developing and implementing the training, the Administrator shall consider (1) the findings of the NTSB; (2) existing FAA orders; (3) whether the frequency of training should be increased for air traffic controllers in high-volume or high-complexity air traffic control facilities; (4) the appropriate use of tower simulator systems and other advanced training technologies to supplement the recurrent and refresher training; (5) the use of data analytics to identify systemic gaps in controller training; (6) data gathered from aviation safety reporting programs; and (7) any other factor determined appropriate by the Administrator.

No later than 90 days after development of the training program, the Administrator shall revise associated orders, policies, and guidance documents to reflect the requirements of this section.

Sec. 110. Safety Risk Assessment Tool.

This requires the Administrator to develop a safety risk assessment tool to assist air traffic controllers and supervisors in airspace risk identification, mitigation, and operational decision-making. In developing the safety risk assessment tool, the Administrator shall consider, at a minimum, (1) developing a tool that can support air traffic controllers in identifying safety risks, analyzing the impact of and prioritizing such risks, and developing strategies to reduce or eliminate such risks in real time; (2) data, reports, studies, and best practices on threat and error management; (3) the findings and recommendations of the NTSB, National Airspace System Safety Review Team, and a frontline manager workload study required by the *FAA Reauthorization Act of 2024*; (4) air traffic control facility type and staffing level; (5) current FAA risk assessment guidance, policies, and regulations; (6) data gathered from aviation safety reporting programs; (7) best practices or similar relevant risk assessment tools and methods used by foreign civil aviation authorities; (8) the feasibility of leveraging commercially available

products or technologies that may be utilized; (9) benefits of incorporating this tool into a Common Automation Platform; and (10) any other relevant factors.

Additionally, the section requires the Administrator to coordinate with representatives of air traffic controllers; air traffic control operations supervisors; aviation safety experts with knowledge of threat and error management and human factors; and any other relevant stakeholders. Furthermore, this section requires the Administrator to brief the appropriate committees of Congress on the development of the safety risk assessment tool and recommendations for implementation. Lastly, the section requires implementation of the tool, prioritizing Ronald Reagan Washington National Airport within one year, air traffic control facilities with high volumes of mixed rotorcraft and airplane traffic no later than 18 months, and any remaining air traffic control facilities no later than 24 months.

Sec. 111. Operational Rates at Ronald Reagan Washington National Airport.

This section requires the Administrator to initiate an assessment of the aircraft arrival rate at Ronald Reagan Washington National Airport (DCA). In conducting the assessment, the Administrator shall consider (1) the airspace complexity; (2) the airfield's limitations; (3) mixed-fleet operations; (4) traffic volume; (5) air carrier scheduling practices; (6) operation capacity of the airport; (7) current hourly instrument flight rules allocation practices at the airport; and (8) expertise provided by the FAA's Air Traffic Organization (ATO). Following completion of the assessment, the Administrator shall submit the assessment to the appropriate committees of Congress, including any related findings and recommendations.

Furthermore, this section requires the Administrator to initiate rulemaking proceedings to update the Code of Federal Regulations (CFR) to require allocated instrument flight rules operations at DCA to be prescribed in periods not greater than 30 minutes to ensure the airport does not exceed safe capacity.

Sec. 112. Time-Based Flow Management.

This section requires the Administrator, not later than 180 days after the date of enactment of this Act, to implement operational use of the time-based flow management (TBFM) system at the Potomac Consolidated Terminal Radar Approach Control and associated air traffic control towers.

Sec. 113. Air Traffic Control Facility Levels.

This section allows the air traffic controllers' union and FAA, at their joint election, to review the criteria and procedures used to assess, determine, and validate the facility pay levels of ATC facilities. To conduct this review, the air traffic controllers' union and FAA may consider (1) the many variables that may affect the difficulty and complexity of air traffic control work, including technological advancements, aviation industry trends, and the modification or extension of air traffic control services; (2) the weights and add-ons used to calculate the formulas used to

determine ATC facility levels; and (3) whether new relevant weights and add-ons should be incorporated into such formulas to more accurately reflect the density and complexity of facility operations.

The section also allows the reassessment of air traffic control facility levels, upon completion of this review, prioritizing the ATC facility level of DCA followed by all other ATC facilities with high volumes of mixed helicopter and airplane traffic.

Lastly, it clarifies that nothing in the section may be construed to interfere with any agreement between a governmental entity and the air traffic controllers' union.

Sec. 114. Working Group to Evaluate Shared Frequency Around Ronald Reagan Washington National Airport.

This section directs the Administrator to convene a working group to conduct a comprehensive evaluation of the safety benefits and risks of requiring all aircraft to use the same communications frequency during any period in which helicopter and local air traffic control positions are combined at DCA. Members of this working group will include air traffic controllers; air traffic control operational supervisors and managers; aircraft pilots; helicopter pilots and operators; air carriers; business aviation operators and pilots; air medical operators; human factors experts; the FAA; the Department of Defense (DOD); the United States Coast Guard; the NTSB; and other relevant stakeholders.

The working group is authorized to be in effect for one year, with an option for a one-year extension if the Administrator deems it necessary. To conduct the required comprehensive evaluation, the working group must consider the (1) benefits or detriments to pilot and air traffic controller situational awareness; (2) human factors that would impact pilot and air traffic controllers focus during critical phases of flight; (3) pilot training requirements; (4) air traffic controller training requirements; (5) technological limitations or challenges that would impeded aircraft from using the same communications frequency; (6) potential for overlapping, conflicting, and simultaneous communication transmissions; (7) potential for misdirected, missed, or stepped on communications on crowded frequencies; (8) relevant NTSB recommendations; and (9) feedback from air carriers and general aviation operators.

Additionally, this section requires the working group to submit a report to the Administrator and the appropriate committees of Congress detailing their findings and recommendations. No later than six months after the submission of this report, the Administrator shall operationally validate such recommendations and take action, as appropriate, to implement the recommendations.

Sec. 115. Anti-Blocking Technology.

This section requires the Administrator to initiate an assessment into the feasibility, maturity, hazards, and safety benefits of technology that serves to alert an air traffic controller or flight crew to instances of potentially blocked transmissions when simultaneous broadcasting occurs.

Additionally, this section requires the Administrator to submit to Congress a report on the results of the assessment that includes: (1) a list of technologies identified by the Administrator as serving to alert air traffic controllers or flight crews to instances of blocked transmissions; (2) a list of the technologies that the Administrator proposes could alert air traffic controllers or flight crews to instances of blocked transmissions; (3) results of simulations and testing; and (4) the Administrator's plan to implement anti-blocking technology if the assessment finds the technology can be safely implemented, including the projected costs, a projected timeline for implementation, and how the upgrades to facilities and equipment would be prioritized.

Sec. 116. Task Force to Identify Improvements to Air Traffic Controller Conflict Alert System.

This section requires the Administrator to convene a task force to develop a framework detailing the priorities, goals, timeline, and recommendations to implement improvements to the conflict alert system to provide more salient and meaningful alerts to air traffic controllers. The task force will consist of air traffic controllers; operators of Federal Contract Towers; air traffic control operational supervisors and managers; human factors experts; employees from the FAA's Air Traffic Organization (ATO) and Office of Finance and Management (AFN) with expertise in equipment procurement; and other relevant stakeholders.

The task force is authorized to be in effect for one year, with an option for a six-month extension if the Administrator determines it necessary. To develop the required framework, the task force must, at minimum, consider the (1) benefits and detriments to air traffic controller situational awareness, including availability of information, nuisance and false alerts, and human factors; (2) opportunities and challenges of consolidating numerous systems and underlying data sources into a single display; (3) products by other working groups related to human factors in aviation safety; (4) air traffic controller training requirements; (5) advances in available technology currently not being utilized; (6) technological limitations; (7) relevant NTSB recommendations; (8) ATC modernization efforts by the FAA; and (9) feedback from manufacturers and entities involved in the FAA's ATC modernization initiative.

This section also requires the task force to submit a report to the Administrator and the appropriate committees of Congress detailing the framework. No later than eight months after the submission of this report, the Administrator must submit and immediately begin to implement a two-year implementation plan to the appropriate committees of Congress. This implementation plan must include specific training requirements for air traffic controllers and a publicly available list of prioritized airports to receive upgrades to the conflict alert system. Lastly, this section requires briefings every six months until full implementation of the plan to the appropriate committees of Congress on progress of the implementation.

Sec. 117. Postaccident and Postincident Drug and Alcohol Testing.

This section states it is the Sense of Congress that the Administrator shall abide by Department of Transportation order (DOT Order 3910.1D) requiring postaccident and postincident drug and alcohol testing.

This section requires the Administrator to revise procedures of the FAA's Air Traffic Organization (ATO) to ensure that an appropriate on-site supervisor makes each postaccident and postincident drug and alcohol testing determination based on their assessment of whether the event meets testing criteria and which controllers had duties pertaining to the involved aircraft without need to wait for investigation or approval.

This section also requires the Administrator to incorporate into annual training the revised postaccident and postincident drug and alcohol testing determination procedure for all ATO staff who have such responsibilities. The training standards shall include a post-learning knowledge assessment.

Additionally, the Administrator shall conduct an annual review of the ability of each air traffic control facility to routinely accomplish the required postaccident and postincident testing within the specified timeframes, within two hours for alcohol testing and within four hours for drug testing, including conducting a demonstration. Following the review, the Administrator shall work with the Secretary to mitigate identified barriers to timely postaccident and postincident drug and alcohol testing, and to remediate the performance of each facility that failed the demonstration. Lastly, not later than three months after each annual review, the Secretary is required to submit a report to Congress detailing the results of the reviews, any facilities needing remediation, progress at facilities previously identified for remediation, and planned approaches to remediation.

Sec. 118. Further Modifications to Ronald Reagan Washington National Airport Area Helicopter Routes.

This section requires the Administrator, via the safety risk management process, to evaluate all charted helicopter routes in the vicinity of DCA to ensure that helicopter and fixed-wing aircraft routes are safely deconflicted physically at all times or have operating procedures that require positive control from the controller to ensure safe deconfliction during operations. In carrying out the route revisions under this section, the Administrator shall conduct a safety risk management review for any helicopter route changes. Lastly, the Administrator is required to report the results of the evaluation to Congress and provide safety risk assessment documentation.

Sec. 119. Requiring Vertical Separation Near Airports During Critical Phases of Flight.

This section requires the Administrator to ensure that each segment of a helicopter route contains, in the appropriate helicopter route chart, recommended flight altitudes (ceilings and

floors) consistent with FAA Order Job Order (JO) 7210.3EE. Additionally, this section requires the Administrator to amend FAA Order JO 7210.3EE to add minimum vertical separation requirements to the criteria for the helicopter route chart program. In making these revisions, the Administrator shall ensure that any helicopter route chart that represents an area near an airport clearly conveys to an operator the segments of the route in the vicinity of an airport. Further, this section requires the changes to be incorporated into the annual review of helicopter charts.

Sec. 120. Helicopter Route Chart Annual Review.

This section requires the Administrator to initiate, annually, a review of the criteria for annual reviews of helicopter routes required by FAA Order JO 7210.3EE. After each annual review of the criteria, the Administrator shall update the criteria based on the review and publish the updated criteria on a publicly available website of the FAA. The Administrator shall publish on a FAA website the date on which the annual review for each Helicopter Route Chart has been most recently completed.

Furthermore, this section requires the Administrator to report annually to Congress a summary of changes to the charted helicopter routes, rationale or safety data justifying the changes, a summary of any consultation with helicopter and fixed-wing operators, and the associated safety risk management process documents. If the Administrator fails to submit an annual report, the chief operation officer of the FAA's ATO is required to brief Congress in-person within four weeks.

Sec. 121. Visual Charts.

This section requires the Administrator to initiate a study on incorporating the lateral location and published altitudes of helicopter routes into all instrument and visual approach and departure procedures for airports to provide situational awareness to fixed-wing operators of the risk of helicopter traffic operating in their vicinity. The Administrator shall consider: (1) the spacing and legibility of information on the charts; (2) the workload of flight crews at lower altitudes during critical phases of flight; (3) the feasibility and decipherability of layered information on digital charts; (4) current best practices for pilots when landing at or departing from airports with high volumes of helicopter traffic that do not have charted helicopter routes; and (5) the human factors involved with approach and departure procedures.

Additionally, after completion of the study, this section requires the Administrator to make any necessary revisions to (1) Terminal Procedures Publications to include charted helicopter routes providing appropriate situational awareness to fixed-wing operators and (2) Helicopter Route Charts to include airport approach and departure paths to provide appropriate situational awareness to helicopter operators. If the Administrator revises any of the publications or charts, the appropriate committees of Congress must be briefed on the revisions.

Sec. 122. Close Proximity Encounters.

This section requires the Administrator to establish a working group to make recommendations on an objective definition of close proximity encounters, as well as the associated parameters that can be used to monitor the prevalence of such encounters and identify areas of potential traffic conflict. This section also requires the working group to make publicly available aggregated information about all encounters, including the date and location.

The working group shall consider (1) existing airborne separation rules and required loss of airborne separation reporting requirements; (2) development of a definition of, and associated parameters for, close proximity encounters; (3) data gathered from aviation safety reporting systems; (4) NTSB aviation investigation report AIR-26-02; (5) FAA risk assessment guidance, policies, and regulations; (6) best practices or similar risk assessment tools used by foreign civil aviation authorities; and (7) any other relevant factors determined by the working group.

The working group's membership will include representatives from the National Aeronautics and Space Administration (NASA); aviation labor organizations; subject matter experts in safety management systems and safety data; air carriers; helicopter pilots and operators, including law enforcement and air ambulance operators; general aviation operators and pilots; and a career representative from the NTSB with subject matter expertise, who will be a non-voting member. Furthermore, after the working group develops recommendations, the Administrator is required to make publicly available a report containing the working group's recommendations and how the Administrator will implement such recommendations.

Sec. 123. Notification of Close Proximity Encounters and Analysis of Data.

This section requires the Administrator to establish a process to notify parties involved in: (1) a near midair collision, (2) a traffic collision avoidance system resolution advisory (TCAS RA), (3) a close proximity encounter event (as defined by section 122), or (4) any other event determined by the Administrator and provide deidentified event data to the Aviation Safety Information Analysis and Sharing (ASIAS) program. The Administrator shall also establish and continuously monitor a database of events listed above to identify trends, ensure timely notification to involved parties to prevent the loss of data, consider informing frequent operators of such events, and account for other close proximity encounters. Additionally, the Administrator is required to brief Congress on the implementation of this section not later than 30 days after establishing the notification process mandated in this section.

Furthermore, the Administrator shall annually submit to Congress a report containing data on the number of instances and locations of near midair collision events, TCAS RA events, close proximity events, identified locations of concern, and action taken to mitigate identified risks and reduce the occurrence of such events. Lastly, this section ensures that the data collected under this section shall only be used for safety assurance and safety risk management.

Sec. 124. Safety Culture and Safety Management Review.

This section requires the Department of Transportation Inspector General to initiate a comprehensive audit of the FAA's ATO safety culture and Safety Management System, including its risk identification, data sharing, compliance with existing safety directives, and mitigation of collision risks within the National Airspace System.

Furthermore, the Inspector General must submit a report to Congress that includes recommendations to strengthen adherence to safety management principles, enhance transparency, protect against retaliation, and foster a just culture. The section further requires the Secretary of Transportation to respond to those recommendations and submit an implementation plan to Congress within 120 days of the report's submission, ensuring timely oversight and corrective action.

Sec. 125. Documentation of Control Position Combinations.

This section requires the Administrator to review and revise, as appropriate, the regulations and standard operating procedures governing the documentation of combining air traffic control position responsibilities.

In conducting the review, the Administrator shall: (1) consider the current standard operating procedures, guidance, and regulations on the combination of air traffic control position responsibilities; (2) examine the feasibility of digitizing the documentation required under this section; (3) require the Operations Supervisor (OS) to periodically review the documentation of combined controller position occurrences and submit a rationale for atypical occurrences of combined controller positions; (4) consider air traffic facility type and staffing level; and (5) consult with relevant stakeholders.

Additionally, the Administrator shall brief the appropriate committees of Congress on the implementation of this section no later than one year after completion of the review required under subsection (a). Lastly, it clarifies that nothing in the section may be construed to interfere with any agreement between a governmental entity and the air traffic controllers' union.

Sec. 126. Review of Miles-In-Trail Procedures or Agreements.

This section requires the Administrator to complete a review of the miles-in-trail (MIT) standards in FAA Joint Order 7210.3EE to determine if the standards provide for a separation of aircraft traffic that is appropriate for operational safety. In conducting the review, the Administrator may consider the: (1) accuracy of the criteria used to determine MIT procedures for air traffic control (ATC) facilities; (2) where additional criteria should be incorporated to more appropriately reflect the traffic volume of ATC facilities; and (3) the findings and recommendations of the NTSB. The Administrator is required to update the standards in FAA Joint Order 7210.3EE to ensure the standards provide for a separation of traffic that is appropriate for operational safety.

After completing the review of the MIT standards in FAA Joint Orders 7210.3EE, the Administrator will initiate an additional review of the MIT procedures or agreements at all ATC facilities located within Class B and Class C airspace to ensure the procedures provide for a separation of traffic that is appropriate for operational safety.

Finally, the Administrator is required to submit to the appropriate committees of Congress a report that includes: (1) a list of ATC facilities identified during the Administrator's review that did not have MIT procedures or agreements that allowed for the separation of traffic appropriate for operational safety and (2) steps that the Administrator has taken, or plans to take, to modify the MIT procedures or agreements at each facility to ensure they provide for a separation of traffic appropriate for operational safety.