

NACA

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GOP Expected to Take House, Senate Control TBD

While more than 20 House races remain pending, Republicans are expected to regain control of the House by a narrow margin, likely 2-4 seats. With ballots still being counted in Nevada, control of the Senate may hinge on a special runoff election in the Georgia Senate race between incumbent Senator Raphael Warnock and Former University of Georgia and NFL running back Herschel Walker on Dec. 6.

Regardless of which party controls the Senate, NACA members should be facing a more favorable environment on Capitol Hill for at least the next two years. House Transportation and Infrastructure Committee Ranking Member Sam Graves (R-Mo.) and House Aviation Subcommittee Ranking Member Garret Graves (R-La.) will become chairs and draft the next FAA reauthorization bill. This will enhance our prospects of defeating consumer and labor priorities, including more vigorous foreign repair station oversight, applying flight and duty time limits to cargo pilots, regulating commercial passenger seat dimensions, and requiring secondary cockpit barriers on existing and new production commercial aircraft. In addition, a robust Republican oversight agenda should command the attention of DOT Secretary Pete Buttigieg, tempering his public relations campaign to improve airline customer service.

New FAA Administrator Nominee Expected Next Year

Since any pending nominations at the conclusion of the current session of Congress in January must be resubmitted, we expect the Biden Administration to nominate a new candidate for FAA administrator early next year. We understand that the White House is unlikely to renominate Denver International Airport CEO Phil Washington. Since it will take several months for the Senate to hold confirmation hearings and vote on the next nominee, we expect Acting FAA Administrator Billy Nolen to remain in his current position until at least March or April 2023. If Republicans take control of the Senate, there is a chance that no action will be taken to confirm the next nominee until after the 2024 presidential election.

Arrival Restrictions from Uganda

Custom and Border Patrol held a call with industry to remind airlines that they are limiting flights carrying persons who have recently traveled from or were otherwise present within Uganda to certain landing locations. Under this authority and effective for flights that departed after 11:59 p.m. Eastern Daylight Time on October 10, 2022, such flights may only enter the United States and undergo CBP inspection at JFK, Newark, Chicago O'Hare, Washington Dulles or Atlanta. Flights not in compliance may be diverted by CBP to a funneling airport, and penalties may be assessed.

Vaccination Requirements Extended

The Transportation Security Administration informed us that the Security Directive (SD) requiring vaccination of passengers entering the United States, and the attestation requirements associated with it, will be extended to January 8. The only change will be a 10-day grace period which will be implemented for new service at a location. The extension should give the Administration time to determine how to move forward on a permanent basis.

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War Risk Extension Effort

The FAA will be working with Congress over the next two months to authorize an extension for war risk insurance. This extension is meant to cover updated “triggers,” for which insurance could be provided in as little as 12 hours upon a triggering event. The most likely route for passage of this authorizing language is through the National Defense Authorization Act (NDAA) which is a must-pass piece of legislation for the Department of Defense. Passage of the NDAA would likely occur in the lame duck session after the election, so we have time to weigh in on any issues or lobby for passage should that become necessary.

Infoshare and Cargo Breakout Session

More than 1000 representatives from industry, associations and government attended Infoshare, including a very well attended 119 session the day before the conference began. Many topics covered throughout the week and NACA members were well-represented. The FAA briefed an expansion of the Voluntary Disclosure Program (VDRP) into Safety Management Systems (SMS) and allow five new airlines to participate in the program. The initial program will be limited to incorporating VDRP into SMS. Any airline wishing to participate will need to inform FAA of their willingness to participate in writing. The local office will discuss the airline’s participation internally and move forward.

On Thursday NACA was the cargo breakout session co-chair. Approximately 300 people stayed for Thursday’s session, including more than 125 at the cargo session. The FAA presented early that morning, followed by NACA member presentations from Kalitta, Omni and NAC. We’re grateful for their participation. FAA clarified that cargo falls under FAA operations (AFS-200), which will help in developing policy and addressing issues going forward.

CAST JIMDAT Fatigue Working Group Study

The Commercial Aviation Safety Team (CAST) sent out a draft charter to formalize the Fatigue Working Group under the Joint Implementation Measurement Data Analysis Team (JIMDAT) to study pilot fatigue in airline operations. The study covers both cargo and passenger operations. NACA, along with the other associations, is building a team to participate in the working group and fully understand its ultimate purpose.

NACA Council Vice Chairs

The Operations, Maintenance and Safety Councils elected new vice chairs for 2023. The councils will meet to solidify a schedule for the all-council meeting in 2023. The consensus of the group was to continue to schedule the joint council meeting at the end of the year.

