

NACA

Washington Wire

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2024 FAA Reauthorization

The Senate is currently considering a modified, five-year FAA reauthorization bill to which House Transportation & Infrastructure Committee Republican and Democratic leaders agreed in late-April. We are closely monitoring for substantive policy changes made through amendments to the underlying bill. The current short-term extension expires May 10, and given the number of amendments being offered, Congress will likely need to pass another short-term extension to give the Senate additional time to dispose of amendments and pass the bill.

The compromise bill addresses many of our top priorities. Most significantly, it would direct the FAA to create a new Restricted Air Transport (R-ATP) pathway for pilots called an Enhanced Qualification Program (EQP). EQPs must be approved by the FAA and would be offered by airlines at FAA-certified flight schools, effectively allowing structured and simulator training to count toward the 1500-hour ATP threshold. In addition, the bill directs the FAA to hire as many new air traffic controllers as it can train; expands FAA pilot and maintenance workforce grant programs; fully funds the DOT Essential Air Service program; and directs DOT to brief lawmakers on actions that can be taken to expand access for low-cost carriers at capacity-constrained airports. Equally important, the bill does not expand flight and duty time requirements to cargo carriers; does not include any increase in aviation taxes and fees; and does not include any new mandates on passenger seat dimensions.

The bill does include a House provision requiring FAA to convene an ARC to review the current rule requiring secondary cockpit barriers for certain new aircraft and to issue a final rule based on the ARC recommendations within three years; robust new accessibility requirements; and directs FAA to update cabin evacuation standards. Strong opposition from House Democrats and ALPA prevented raising the mandatory retirement age for pilots to age 67. We will work with A4A and RAA to include language proposed by Senator Tammy Baldwin (D-Wisc.) to ensure pilot student loans align more closely with flight education costs in legislation from the House Education and Workforce and Senate Health, Education, Labor and Workforce Committees in the months ahead.

While the legislation is far from perfect, we believe the pros outweigh the cons due in large part to our advocacy efforts on Capitol Hill. It remains a highly challenging environment for passenger airlines.

PAC Update

This year we have sponsored fundraisers for House Transportation & Infrastructure Committee Chair Sam Graves (R-Mo.) and Ranking Member Rick Larsen (D-Wash.). At each event we reiterated our top priorities for the FAA reauthorization bill. During the election season, we will continue to seek opportunities to support Members who can help us advance our policy priorities in 2025 and beyond.

(next page)



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NSC Briefing

NACA was invited to join the White House's National Security Council (NSC) for a classified briefing on current aviation threats. The briefing focused on security challenges surrounding the conflicts in the Ukraine and Israel, as well as other areas of concern around the world. We were permitted to invite our member airlines; given short notice only three members were able to participate.

Increased Reports of KCM Randoms

At our last Operations Council meeting, extremely high random rates for Known Crew Member (KCM) portals at some airports were reported. TSA replied to our inquiry that the random rate has not been raised for some time and is set as an equal percentage across all KCM airports. TSA is very concerned by the number of prohibited items being brought in by crews when they get pulled for random screening. Those numbers indicate the random rate will not be going down anytime soon.

TSA Summer Press Event

NACA President and CEO George Novak will participate with other trade association leaders and TSA Administrator David Pekoske in TSA's summer travel press event at LaGuardia Airport on May 16 to highlight various things passengers should be aware of as they embark on air travel this summer.

TSA In-Flight Security Working Group

As a member of the TSA's Aviation Security Advisory Committee (ASAC), Paul Doell will serve on the newly created In-Flight Security working group. The group will make recommendations to the TSA Administrator on better dealing with disruptive and/or combative passengers. Frontier Security Director Bruce Dudgeon will serve as a subject matter expert on the working group at our request, given Frontier's continued experiences with these issues.

US/EU Joint Committee Meeting

The US/EU Joint Committee will meet May 22 in Lisbon, Portugal to discuss "doing business" issues that occasionally arise in our Open Skies agreement with the EU.

New Reporting Structure for CAST

Last year, the Commercial Aviation Safety Team (CAST) established a series of Tiger Teams to determine how to take aviation safety to the next level. This requires an integrated, holistic approach that speeds the flow of information and incorporates emerging technologies like Artificial Intelligence (AI) and Machine Learning (ML) to identify and manage risk more quickly. A new Aviation Safety Team (AST) will be established to better enable adoption of these new technologies and to increase coordination, collaboration, and cooperation between government and industry, as well as across industry sectors, including general aviation, vertical lift, drones and other new entrants to the National Airspace System. NACA will maintain a voting seat on the new AST.

NACA Operations, Safety, and Maintenance Council meetings

NACA's Operations, Safety and Maintenance Councils met separately April 16-18 with very engaging and productive discussions. Summaries and presentations were sent to all council members. The next series of council meetings is scheduled for July 23-25.

(next page)

Mental Health Aviation Rulemaking Committee (ARC)

The Mental Health ARC issued their final report on March 27, 2024, which was distributed to NACA operation council members. Among the twenty-seven recommendations were: create a non-punitive pathway for disclosing mental health conditions and treatments; revise and evaluate requirements for reporting; ensure that aeromedical screening protocols and requirements are based on Safety Management System principles and appropriately communicated to applicants; and develop mental health literacy, education, and awareness campaigns.

Instructions for Continuous Airworthiness (ICA-ARC)

NACA will participate in the ICA-ARC as a primary voting member, with the first meeting scheduled for May 14, 2024. The ICA-ARC will provide recommendations for regulations, policy, and guidance to the FAA, including a clear definition for ICA and recommended performance-based requirements for ICA applicability, content and availability. The ARC will propose how to distinguish between safety and customer convenience provisions in the ICA and consider the role of repair source approval and restrictions on the use of ICA to certain entities.

Pipeline, Partnership and Pathway (P3) ARC

The P3 ARC is finalizing their phase two report to the Aviation Carrier Training – Aviation Rulemaking Committee (ACT-ARC). This report will offer options and financing programs to enhance the diversity of new pilots. It will also recommend various new accepted types of training with associated credit hours.

Pilot Fatigue Working Group (PFWG)

The PFWG will issue their recommendations shortly to the Joint Implementation Measurement Data Analysis Team (JIMDAT) for review and then submission to the Commercial Aviation Safety Team (CAST) for consideration and approval. The group is chartered to better understand mitigation of fatigue across passenger and cargo operations in order to identify successful mitigations to share among all airlines, rather than to recommend changes to regulations. Based on information sharing, some airlines have already adjusted their Fatigue Risk Management Plans (FRMP). Some airlines also have agreed to form small groups and share their actual FRMP's to help exchange best practices. The goal of the PFWG is to submit final recommendations by the fourth quarter of 2024.

Monday ULCC Weekly Call

NACA has established a weekly call at 12pm ET on Mondays for ULCC operational personnel and dispatchers to discuss the prior and coming weeks' traffic, weather, and any other pertinent information needed to maintain positive control. This call gives our member ULCCs the chance to collaborate with NACA in a more private forum and is open to any member representatives that could have operational takeaways from it. These calls have helped resolve multiple operational issues and keep an open dialogue between NACA staff and its air carrier members. Attendance by all ULCC's is highly encouraged – call times range from 10-20 minutes, depending on operational necessity.

(next page)

May FAA Townhall Meeting

On May 1, FAA Administrator Mike Whitaker held a town hall meeting open to FAA employees and contractors. He discussed FAA's emphasis on safe operations, both for stakeholders and companies. He noted that the emphasis on safe operations is necessary – even if lowering service availability in some areas is required to accommodate it. FAA has devised a comprehensive plan to increase the number of certified controllers, specifically in the Southeast region where strain has been highest over the past few years. However, the strain is not expected to be fixed in the near future, since the average time for controller certification is 1-3 years in most facilities.

New ATC Crew Rest Regulations

Controller fatigue is an increasingly important issue. Outside expert investigations determined additional steps are necessary to mitigate the strain on controllers. FAA announced new rest requirements April 19, including mandating that all air traffic controllers have at least 10 hours off duty between shifts, and any controller who has worked a mid-shift to have 12 hours off before their next shift. While there will be an adjustment period, there should be minimal impact felt by stakeholders from the new requirements.

Communications Update

Efforts to raise NACA's profile with key stakeholders and audiences have continued to bear fruit. NACA's close collaboration with CAST on safety promotion and communications resulted in an opportunity for NACA's Senior Director for Communications Dan Stohr to appear with FAA Executive Director for the Office of Accident Investigation and Prevention (AVP) Kimberly Pyle on a panel discussing CAST's efforts and pending reorganization at the SMS Industry Forum hosted by American Airlines in Dallas April 9-11. NACA Communications will be an integral part of the strategic planning and implementation for the new Aviation Safety Team.

